



Central Film School

Student Complaints Policy

2023 - 24

STUDENT COMPLAINTS POLICY

Scope

In line with the UK's Quality Code for Higher Education and allied guides, our definition of a 'complaint' is the expression of a specific concern about the provision of a programme/module, or a programme of study, or a related School service.

Central Film School (CFS) defines an 'academic appeal' as a student request for a review of a decision made within or procedure mandated by the Academic Board and assessment boards structure which is charged with decisions on student progression, assessment and awards. This present policy concerns student complaints rather than academic appeals.

CFS recognises that complaints may be made by individuals or, in some circumstances, a group of students. Complaints may be dealt with effectively through informal means in their earlier stages; later stages will be dealt with formally.

CFS will aim to resolve any complaints in a timely way and bring matters to a conclusion as speedily as possible. The following procedures, therefore, give timescales that are both fair and realistic and have sufficient flexibility to take individual circumstances into account. Should key staff be unavailable (for example due to sickness or planned holiday), CFS will take all reasonable steps to forward matters, however, procedures may be delayed until the required staff are available.

In order to avoid students feeling inhibited from making a complaint due to fear that they may suffer disadvantage, CFS maintains confidentiality when receiving or handling a complaint, unless disclosure is necessary to enable the complaint to be progressed. Where this is the case, we will inform the person(s) complaining before any disclosure is made and check that they wish to proceed before doing so.

Student complaint procedures are approved by the committee and are monitored by the Academic Board and its subcommittees. The procedure will be reviewed periodically in line with developments in good practice.

In some cases, the School may offer facilities for external mediation. This procedure applies to all students.

Principles of the procedure

The procedure is based on the following principles:

- a student has the right to be accompanied by a colleague or friend at every stage of the procedure.
- any formal complaint (stage 2) must be made in writing as soon as possible.
- it is possible to hear only complaints that are within the power of the School to remedy.
- a record of any formal hearing will be available to the student on request.
- the timescales set out may be extended with the agreement of the parties.
- where more than one student has lodged a complaint relating to the same, or substantially the same, issue, the complaints may be dealt with together in the interests of fair and consistent decision-making.
- where a complaint concerns an apparently trivial issue the relevant staff member will discuss this informally with the student to determine whether there is a real

need to pursue the matter through the complaints procedure. If the student and member of staff are unable to agree, the student will be entitled to submit the complaint formally together with any further evidence or explanation that shines new light on the matter and demonstrates that a substantive complaint is, in fact, being made.

- if the student's complaint restates a complaint that the School is already dealing with, or that it has dealt with in the past, the student will be asked to explain how the new complaints differ from the previous one, and either what new incident has occurred or what new evidence has come to light. Where it is clear that there is nothing new being raised, the School can reject the complaint without further procedure.
- deliberately false or malicious complaints will be treated as matters of misconduct and will be investigated in line with the Disciplinary Policy and procedure complaints raised while a student is subject to disciplinary proceedings will be heard when the disciplinary process has been completed. If the complaint has any bearing on the disciplinary proceedings, it can be raised in the course of those proceedings.

Stage 1: Informal stage

Where possible, complaints should be dealt with and resolved informally through discussion between the aggrieved student and staff/another student(s), as close to the point of difficulty as possible. At this stage, complaints may be made in writing or orally. The School suggests discussion by meeting or telephone prior to written informal discussion by email or similar means.

Before using the formal stages of the complaints procedure it is expected that a student will try to resolve the complaint informally. If a student has a grievance against another student or other students, the complainant should first of all try to resolve the matter by direct approach to the student or students involved.

At this informal stage, a student may request a meeting with a relevant staff member, and efforts made to resolve the issue. An informal meeting with staff should be held within 10 working days of the submission of the request. The member of staff will take notes to record the conversation accurately. These notes or the email dialogue will be placed in the student's personal file. Many student 'complaints' are likely to take the form of suggestions for improvement (eg more library books, changed teaching hours) and can be dealt with informally without a personal file note being lodged, or dealt with more formally but within a regular committee meeting of the School and using the normal and routine student voice and student representative processes of the School.

At this stage, as at all others, the complainant should state clearly the nature of the complaint and the outcome sought, which might include an apology.

There may be times when what is expressed by the complainant as a complaint contains within it an appeal and vice versa. Where this is the case, the School may reclassify the matter in consultation with the person complaining. It is possible for such reclassification to trigger an alternative procedure without the student having to initiate this.

If, after any staff action to resolve the complaint or student action within the routine committee system, the student is still dissatisfied, the complainant may proceed to the formal stage of the procedure.

Stage 2: Formal stage

If the complaint has not been resolved at the informal stage and the student wishes to proceed to the formal stage, the student must do so by submitting the complaint in writing to the CEO. At this stage, regardless of how detailed previous oral discussions have been, the complainant should state clearly in writing the nature of the complaint and the outcome sought, which might include an apology. The complaint will be heard in a relevant School committee meeting (eg Academic Board) or by a specially appointed panel, at the discretion of the CEO.

Complaints about general School procedures will normally be heard in committee.

Complaints against a named individual will be heard by a special panel. The complainant must set out in writing the nature of the complaint and the reasons why the complainant is dissatisfied with the outcome of the informal stage. The student should suggest a remedy for the complaint (how it should be settled). Complaints raised against the CEO should be submitted to the company Board of Directors.

In advance of any committee meeting or hearing the CEO may appoint an investigating officer to look into the complaint.

Should the complaint be against a named individual or individuals, the CEO will give the person complained about a copy of the complaint at the earliest opportunity. The individual complained about will present their response at the hearing. Complaints about named individuals will not be dealt with in routine committee meetings of the School.

The panel will consist of two nominees of the CEO. Where possible, there should be a gender balance on panels. The School will make every attempt to ensure that the hearing will be held within 10 working days of receipt of any investigating officer's report or within 10 working days of the complaint being received if it is against an individual. The student will be given at least five working days notice that the hearing is to be held. The student may request an alternative date to allow up to an additional five working days if their representative is unavailable. If following a reasonable attempt to rearrange the hearing, the student is still unable to attend, they may send a representative, or the hearing may be held in their absence. The complainant should inform the CEO and/or the chair of the panel two working days before any meeting or hearing, by whom the student would like to be accompanied or represented.

The complainant should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform the CEO and/or the chair of the panel as soon as possible. If they fail to attend without explanation, or it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence.

Written information or evidence must be made available to all parties at the earliest opportunity and, in any case, two working days before the hearing.

All parties involved will be allowed to attend and make representations at the meeting. Witnesses may be called. The hearing will be minuted and these minutes will be placed in the complainant's personal file.

Refusal of any party to attend shall not invalidate the proceedings.

The CEO or panel (hereafter referred to as 'the panel'), in seeking to resolve the complaint, may adjourn the meeting or defer a decision if more information is required.

The decision of the panel, reasons for that decision and any redress will be communicated to the complainant. Where the complaint is against an individual, both parties will be given a copy of the decision.

Failure to meet the requirements of redress set out by the panel will result in the invocation of the relevant disciplinary policy and procedure.

The panel shall be responsible for the proper conduct of the hearing, which shall be conducted formally.

The chair of the panel will conduct the introductions of those present and confirm the names of any witnesses who may be called. The chair of the panel will ensure that all parties understand the nature of the complaint and ask the complainant to say how they think it should be settled (the proposed remedy).

The panel shall order the proceedings as follows:

- Ask the complainant to present their case allowing the respondent(s) to ask questions after the presentation has been completed.
- The complainant may call witnesses or refer to documents previously circulated and necessary for the hearing
- While the complainant will be given every opportunity to explain their case fully, they should confine their explanation to matters that are directly relevant to the complaint. The chair of the panel will intervene if they think that the discussion is straying too far from the key issue. The chair may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and the complexity of the complaint
- Ask the respondent (or if no respondent, any school representative nominated to speak for the school) to respond to the case, allowing the complainant to ask questions after the presentation has been completed. The respondent/school representative may call witnesses or refer to documents previously circulated and necessary for the hearing.
- The panel may ask questions on points of clarification at any time and may call witnesses. Questions shall be put to each party after it has presented its case.
- If either party wishes to present evidence not previously circulated, the hearing may be adjourned to allow the other side to consider it.
- The panel, in seeking to resolve the complaint, may adjourn the meeting or defer a decision if more information is required.
- Allow the complainant and then the respondent/school representative the opportunity, to sum up, their cases. Neither party may introduce new matters in their summing up.
- The panel adjourns to consider its decision, which shall be given as soon as possible after the hearing.
- The decision of the panel, reasons for that decision and any redress will be communicated to the complainant. Where the complaint is against an individual, both parties will be given a copy of the decision. The decision letter will be handed to the student whenever possible or delivered securely to the student within three working days of the hearing and to the student's representative, where applicable. The decision letter will state that an appeal procedure is available and that following an appeal external procedures such as (but not limited to) those of the awarding body, Office of the Information Commissioner, the County Court, the Quality Assurance Agency (or successor body), (depending on the nature of the grievance) are open to a complainant who continues to be aggrieved.

- Failure to meet the requirements of redress set out by the panel will result in the invocation of the relevant Disciplinary policy and procedure unless an appeal (see below) has been lodged.
- In the light of complaints, CFS will reflect on whether the finding(s) might suggest that School regulations, procedures or practices need to be amended for the benefit of students and staff, and any issues will be referred to the Academic Board.

Stage 3: Right of appeal

An appeal against a decision about a student complaint should not be confused with an academic appeal against an assessment decision or procedure. Should the complainant wish to appeal against the decision of a student complaint panel the complainant must do so in writing to the CEO (or to the Chair of the Board if the complaint was against the CEO) within five working days of being informed of the decision.

A request for an appeal against a student complaint hearing decision must specify the grounds of the appeal preferably under one or more of the following headings:

- the nature of any redress sought
- the finding of the hearing on a point of fact which is pertinent to the decision of the hearing
- a failure to adhere to the published procedure.

The appeal will be considered at a hearing by an external independent adjudicator who has not been directly involved in the matters detailed in the complaint. A member of the original panel will attend to present its findings and reasons for its decision. Witnesses may be called.

The appeal panel adjudicator, the student and the management representative should receive the written cases five working days before the hearing. The format of the appeal hearing will depend upon the nature of the appeal. If it is a re-hearing it will follow the format of the original hearing. The student will be given five working days' notice that the hearing is to be held. The complainant may request an alternative date to allow up to an additional five working days if their representative is unavailable. If following a reasonable attempt to rearrange the hearing, the student is still unable to attend, the complainant may send a representative, or the hearing may be held in their absence.

The complainant should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform the CEO as soon as possible. If they fail to attend without explanation, or if it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence.

The appeal is not a rehearing of the original complaint, but rather a consideration of the specific areas with which the student is dissatisfied in relation to the original

complaints. The adjudicator may therefore confine the discussion to those specific areas, rather than reconsider the whole matter afresh.

The adjudicator will hear all or part of the previous hearing depending upon the nature of the appeal (see further guidance below). The adjudicator has the scope to:

- uphold all or part of the previous decision
- not uphold the previous decision.

If the adjudicator decides either to uphold only part of the previous decision or not to uphold the previous decision, the adjudicator may at their discretion substitute an appropriate remedy of their own choosing.

Within five working days of the appeal hearing, the adjudicator will record the decision and deliver it securely to the student.

The appeal hearing format is that of the previous stage of the student complaints procedure, with the addition of the following guidance on documentation:

Guidance for appeal documentation Aggrieved student

1. Grounds of appeal.
2. Case statement, which should include as appropriate:
 - a. an introduction explaining the reasons for appealing
 - b. summary of case
 - c. outcome sought
 - d. appendices Management
1. Response to grounds of appeal
2. Case statement, which should include as appropriate:
 - a. introduction, a background to the case, processes followed on calling the original hearing, how the decision was arrived at
 - b. summary of case
 - c. recommendations
 - d. appendices

If papers are presented in this way it should be possible for the appeal hearing only to hear any specific comments or particular aspects of the case, rather than a repetition of the original hearing.

Any recommendations made by the appeal adjudicator will be notified to the appropriate individuals and will be time-bound. Failure to meet the requirements of the panel will result in the invocation of the relevant Disciplinary policy and procedure.

The decision of the appeals adjudicator and the resulting conclusion of procedure letter is the final internal step in the student complaints procedure. The conclusion of procedure letter will state that external procedures such as (but not limited to) those of the awarding body, Office of the Information Adjudicator, the County Court, the Quality Assurance Agency (or successor body) (depending on the nature of the grievance) are open to a complainant who continues to be aggrieved.

Stage 4: Appeal to the Office of The Independent Adjudicator

In line with the complaints processes, should a student not be satisfied with the outcome after all stages are exhausted, they have the right to appeal to the Office of The Independent Adjudicator (OIA).

Once this stage has been reached the complainant will be sent a Completion of Procedure (CoP) as proof the internal procedures have been followed.

<https://www.oiahe.org.uk/>

General

The school is grateful to the Quality Assurance Agency, the internal policies and procedures of which have informed much of this document. It has further been aligned with the OIA Good Practice Framework.

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