

LSJS Student Complaints and Grievance Procedures

1 INTRODUCTION

- 1.1 These procedures seek to ensure that complaints against LSJS made by students are treated seriously and, if found to be valid, are acted upon to ensure that the students' interests are protected as far as it is possible for LSJS to do so.
- 1.2 It should be noted that these complaints procedures are not designed to deal with problems such as missing coursework, unexplained absence of a lecturer or late return of work, except in so far that such concerns are not resolved through simpler procedures or are persistent.
- 1.3 These complaints procedures and any decisions made under them are not intended to give rise to legal rights, or obligations on LSJS to pay compensation, either in respect of a decision made pursuant to the procedures or for a breach of these procedures. These procedures are intended to facilitate the resolution of grievances by LSJS. Anonymous complaints will not normally be considered.

2 PRINCIPLES WHICH UNDERPIN THE STUDENT COMPLAINTS AND GRIEVANCE PROCEDURES

The guiding principles of these procedures are that complaints shall be:

- Treated seriously and with fairness
- Dealt with quickly, simply and at the appropriate level of LSJS management
- Treated consistently
- Subject to the principles of natural justice
- Progressed through two stages – an informal stage and, if necessary, a formal stage
- Dealt with and resolved wherever possible, at the informal stage
- Without prejudice to a student's or group of students' right to pursue legal remedies outside LSJS, having exhausted the LSJS complaints procedure

In order to be considered, any student complaint must be submitted no more than six calendar months after the event or problem relating to the complaint.

3 PROCEDURES

3.1 Informal Stage 1

In the first instance students who wish to make a complaint shall discuss it with a Personal Tutor or Module Leader, who will advise whether or not the complaint is best progressed through:

- The Programme Leader
- Reference to other specific persons who can resolve the problem

If your complaint relates to your application, please discuss it informally with the Deputy Programme Leader or Programme Leader.

3.2 Reference to these general complaints procedures should only be necessary in exceptional circumstances since most complaints, other than ones related to persistent problems, should be resolved informally.

3.3 Assuming it is agreed that the complaint shall be progressed through these general procedures, the member of staff consulted shall discuss the complaint fully with the student and – with the student’s consent – anyone else involved, to see if it can be resolved informally. This may involve referral of the complaint to a third party. The outcome of complaints dealt with informally should be briefly documented. Normally, complaints handled through Informal Stage 1 shall be dealt with within, at most, 10 working days, briefly documented, and a copy of the outcome sent to the student.

3.4 Informal Stage 2

If the student is dissatisfied with the result of Informal Stage 1, the complaint shall be sent in writing to the Programme Leader responsible for the programme on which the student is enrolled within 10 working days of the completion of Informal Stage 1. They shall investigate the complaint fully and seek to achieve an informal resolution of the problem(s), either by correspondence or through discussion with the complainant as soon as possible.

If the complaint directly involves a Programme Leader it shall proceed directly to the formal stage.

3.5 Formal Stage

If a student is dissatisfied with the result of the two informal stages, they shall proceed to the formal stage. They shall put in writing the complaint and the reason why they are dissatisfied with the outcome of the two informal stages to a member of the LSJS Senior Management, normally the Director of Academic Studies and Educator Development, within 10 working days of the completion of Informal Stage 2. This person shall:

- Acknowledge receipt of the written complaint within five weekdays
- Advise, in writing and within five weekdays, any member(s) of staff or students involved that a formal complaint has been received
- Consider the evidence, written or otherwise, and, if necessary, hold such discussions with the complainant and any other persons they deem appropriate in order to fully investigate the complaint.

3.6 The member of Senior Management, having fully investigated the complaint over a period not normally exceeding 10 working days from its receipt, shall decide whether:

- The complaint should be progressed through other procedures, in which case the complaint shall be terminated at this stage
- There is reasonable justification for the complaint
- There is no reasonable justification for the complaint

3.7 The member of Senior Management shall:

- Make their decision known in writing to the student and to members of staff or other students involved
- Seek to resolve any justifiable complaint through recommendations which all parties involved in the complaint shall be invited to accept
- If the recommendations are agreed, take steps to ensure that they are implemented in full within the agreed time period.

3.8 Appeal

If the student is not satisfied with the decision at the conclusion of the Formal Stage, or if the recommendations made at this stage are not implemented, they may appeal to the Chief Executive, or a Director of LSJS if the Chief Executive was already involved in the formal stage. The student shall submit the appeal in writing within 10 working days of receiving the outcome of the formal stage.

The person receiving the appeal shall:

- Acknowledge its receipt within five working days
- Inform the Chair of Directors that an appeal has been received
- Decide to either:

- Enforce the implementation of the recommendations made at the end of the formal stage
- Dismiss the case, giving reasons in writing
- Seek agreement to an alternative set of recommendations
- Determine whether there are sufficient grounds to convene a Panel of Directors

In such cases the decision shall be final.

- 3.9** The Directors Panel should be comprised of at least three directors.
- 3.10** The Directors Panel shall hear the complaint within 10 working days of receipt in accordance with the procedures detailed in section 4.
- 3.11** The Chair of the Panel shall submit, within five working days of the last Panel meeting, a written report to the Chair of Directors. The decision of the Panel shall be final.
- 3.12** The Chair of the Panel shall seek to ensure that any actions arising from the decision of the Panel are taken within the timescale identified in the report and shall report any failure to complete actions to the Chair of Directors.
- 3.13** If the student wishes to take the matter further, he or she may, within three months of receiving notification that the internal procedures of LSJS have been completed, write to the *Office of the Independent Adjudicator for Higher Education (OIAHE)*, Fifth Floor, Thames Tower, Station Road, Reading RG1 1LX. They should enclose a copy of the final decision of LSJS and state the reasons for seeking redress from the OIAHE. Email enquiries may be sent to enquiries@oiahe.org.uk. The web address is www.oiahe.org.uk.

4 PROCEDURAL RULES FOR THE CONDUCT OF LSJS DIRECTORS' PANEL HEARINGS

- 4.1 Hearings shall take place on the LSJS Wohl Campus for Jewish Education at dates and times notified in writing to the student, members of staff and other students concerned at least five working days before the hearing. Distance education students unable to attend in person may participate online.
- 4.2 The Chair of the hearing shall, at the same time as they notify the date of the meeting, indicate the names of any persons that the Panel intends to call to give evidence together with a copy of any statement obtained from those persons which is to be referred to at the hearing.
- 4.3 Students and staff members involved directly in the complaint may be accompanied by a colleague, fellow students (as appropriate) or Trade Union Representative where appropriate. If the student or staff member involved intends to be accompanied, the name and address of the accompanying person shall be notified to the Programme Administrator not less than 24 hours prior to the meeting of the Panel. Legal representation is not allowed at a hearing other than in exceptional circumstances with the discretion of the Chair of the Panel.
- 4.4 Student and staff members involved directly in the complaint and persons accompanying them shall be permitted to question any persons giving evidence to the meeting and to directly address the Directors Panel.
- 4.5 If a student or member of staff wishes to introduce documents to the Panel they shall supply copies of all such documents to the Programme Administrator at least three working days before the date of the hearing. The Programme Administrator shall ensure these papers are circulated as soon as possible to the other party and to all members of the Panel. The Chair of the Panel may decide to give time to examine the documents by adjourning or delaying the meeting of the Panel for a period of up to five working days.
- 4.6 The Panel shall meet in private.
- 4.7 The Panel shall initially decide and then inform all parties concerned how it will conduct the hearing subject to the procedures being consistent with the principles of these general complaints procedures and of these procedural rules.

- 4.8 The Panel shall establish the exact nature of the complaint, establish the facts as far as it is possible to do so, consider the facts, determine its decision and report its decision in writing within five working days to the Chair of Directors, copied to all parties involved in hearing the complaint.

5 NOTES

5.1 In these procedures:

- Reference to a student is taken to mean an individual student or group of students; it includes research students and members of staff registered on programmes in their capacity as students.
- In the absence (e.g. vacation or illness) of the person holding a named post in the procedures, the person deputising for them during the time of their absence shall substitute. In cases when the complaint involves the nominated deputy, the Chief Executive (or deputy) will decide who will handle the complaint.
- LSJS will hear and consider a complaint only if lodged by a student or group of students themselves and will not deal with third parties, even with the student's permission, unless in exceptional circumstances which prevent a student representing him or herself.

5.2 Interpretation

'Working day' refers to a day on which LSJS is normally open; it does not include Saturday, Sunday, Bank Holidays, or other designated periods of closure.