

Section 5D: Student complaints procedure

Equal Opportunities Statement

The Guildhall School of Music & Drama is a department of the City of London which has a comprehensive equal opportunities policy to which the School is fully committed. Its aim is to ensure that everyone receives fair treatment regardless of gender, sexual orientation, race, nationality, ethnic origins, religious beliefs and non-beliefs, colour, disability, marital status, age, trade union affiliations or political beliefs. The School is committed to fostering an environment for students and staff free from discrimination, prejudice or harassment and to pursuing equality of opportunity in the delivery of its services and facilities.

1. Scope

1.1 The scope of this procedure relates to any complaint made against the School by a registered student on an academic programme, course or modules offered as part of the senior School academic offer except those covered by separate procedures for appeals against academic judgements. The complaints procedure relates to student and staff disciplinary procedures but is separate from them. Complaints may relate to:

- Dissatisfaction with School academic provision or the student experience;
- Dissatisfaction with quality of corporate services;
- Dissatisfaction with actions or lack of action on the part of members of staff of the School (excluding assessment decisions);
- Failure to maintain student confidentiality.

1.2 The following scenarios will not be considered under the Student Complaints Procedure:

- Complaints concerning the actions of other students. Such matters must be considered in accordance with either the *Student Code of Conduct & Disciplinary Procedure* or the *Academic Misconduct Regulations*, as appropriate.
- Complaints concerning a decision or outcome taken under the Code of Conduct & Disciplinary Procedure or the Academic Misconduct Regulations
- Complaints replicating an appeal that has already been heard under a different procedure.

1.3 The procedure will apply to complaints initiated by one or more students of the School. Complaints can be made by students who have withdrawn or graduated from the School if a complaint is initiated within three months of departure.

1.4 Unless the student complainant is under 18 years of age or is medically incapacitated, the complaint must be initiated by the student or students concerned. This procedure is not intended to be used by a third party making a complaint on behalf of a student.

2. Principles

2.1 In seeking to resolve a complaint, the School will:

- Make its procedures clear to students;
- Seek to resolve the issue as promptly as possible consonant with the circumstances of the case;
- Seek to resolve the issue as closely as possible to the point of occurrence, but with the provision of increasingly formal procedures where necessary;
- Observe appropriate confidentiality;
- Investigate the matter as impartially as possible, involving staff who are not directly implicated to investigate a complaint;
- Attempt to resolve a complaint as fairly as possible with due consideration both to the complainant and those against whom the complaint is made (while the School will ensure that legitimate complaints are investigated responsively, it will also seek to protect its staff from vexatious or malicious complaints);
- Provide written feedback to a complainant on the outcome of the investigation.

3. Advice

3.1 Students who think that they have a complaint against the School should familiarise themselves with the procedures set out below.

3.2 They must first seek to have the matter resolved informally at the point at which the incident which is the source of the complaint arose. Many matters can be resolved satisfactorily at this stage. If they believe that they have not received a satisfactory response, they should seek advice on how to proceed further. Advice can be obtained from members of staff such as Heads of Programme, the Registry or from the Students' Union. In considering whether to pursue a complaint, students should assure themselves that a complaint is not of a malicious or vexatious kind and that they have the evidence to support the complaint which they are making.

3.3 A student making a complaint against the School may be accompanied by a friend at any interview or hearing conducted in connection with the investigation of the complaint provided that the name of the friend and their relationship to the student is made known prior to the meeting.

4. Timescales

4.1 Timescales set out in this procedure are advisory and refer to *working* days. Complicated matters can take longer to investigate. The School will acknowledge complaints and seek to keep a complainant informed of the progress of the investigations.

5. Stage One

5.1 STAGE ONE of the School's complaints procedure should be invoked if it has not been possible to resolve a matter brought informally to the attention of those concerned at the point at which the incident occurred.

5.2 The complainant should address the complaint, in writing, to the appropriate person for the service or department concerned (normally the head of department or service, see appendix a for examples). The complaint should be lodged within 10 working days of the incident or of the informal discussions relating to it. In exceptional circumstances and at the discretion of the appropriate person, complaints may be accepted after 10 working days.

5.3 The appropriate person will investigate and respond, normally within 10 working days of receiving the complaint, copying the complaint and the written response, or record of action, to the Head of Registry Services.

5.4 Where a complaint is made against a fellow student and the nature of the allegation indicates a substantive breach of the School's regulations, the matter shall be referred by the appropriate person to the Head of Registry Services for report to the Principal and investigation under the Student *Disciplinary procedure*. Action arising from this investigation shall be reported to the complainant and shall constitute the conclusion of this procedure at STAGE TWO.

6. Stage Two

6.1 STAGE TWO of the process will normally only be invoked after STAGE ONE has been exhausted. In exceptional circumstances, a complainant may move directly to STAGE TWO, possibly where the appropriate person is seen as part of the problem or where the substance of complaint is exceptionally serious.

6.2 The complaint, in writing and dated, should be addressed to the Head of Registry Services,* who will reserve the right to refer the matter in the first instance back to STAGE ONE if it is considered that STAGE ONE has not been appropriately completed. The complaint should indicate the perceived deficiencies in the response made locally under STAGE ONE. The complainant should lodge the complaint within 10 working days of the incident or the receipt of a response from STAGE ONE. In exceptional circumstances and at the discretion of the Head of Registry Services, a complaint may be accepted after 10 working days.

** Where the 'appropriate person' at STAGE ONE was the Head of Registry Services, a STAGE TWO complaint should be referred to the Secretary & Dean of Students.*

6.3 Complaints relating to the conduct of a member of staff will be referred to the Human Resources Department and subsequent action, including investigation, will be carried out in accordance with the School's staff disciplinary procedures.

6.4 For complaints other than complaints about individual members of staff, the Head of Registry Services will within five working days of receiving the complaint:

- Identify an appropriate member of the staff independent of the case to investigate the complaint (the investigating officer) and to propose a resolution where appropriate. The investigating officer will normally be a senior member of staff and in determining the choice of investigating officer due regard to impartiality and equal opportunities will be given;

- Acknowledge the complaint and communicate the process and time scale for the investigation to the complainant;
- Copy the letter of complaint, STAGE ONE response and letter setting out the process and time scale to the senior member of the School staff who will investigate the complaint, the person against whom the complaint is made and the head of the department or service concerned;
- Invite the person against whom the complaint is made or the head of department concerned to respond to the complaint in writing within 15 working days to the investigating officer.

6.5 The investigating officer, having received the written response and conducted any other investigations or interviews which they deem necessary, will prepare a report.

The report will:

- Either indicate that reconciliation has been effected.
- Or uphold the complaint, all or in part, and if appropriate propose remedial action.
- Or dismiss the complaint if it is deemed vexatious, invalid or to lack substance.
- Or recommend that the complaint should be referred to a School Complaints Panel.

In addition, the investigating officer may include in the report recommendations to amend policies or processes.

6.6 The report will be sent to the Head of Registry Services within 25 days of the receipt of the letter of complaint and will be communicated by the Head of Registry Services to the complainant and the party against whom the complaint is made.

6.7 The Head of Registry Services will communicate to the complainant further options for the pursuit of their complaint.

7. Stage three

7.1 If the complainant is not satisfied with the response of the investigating officer, they may appeal against the finding and/or the remedy. The appeal should be sent, in writing, to the Secretary & Dean of Students within 10 days of receipt of the report of the investigating officer.

7.2 The Secretary & Dean of Students will refer the appeal to the School Principal. The Principal will either uphold the decision, which will conclude the investigation into the complaint, or will refer the matter to a School Complaints Panel.

Referral to the School Complaints Panel will be dependent upon the complainant demonstrating to the satisfaction of the Principal one or more of the following:

- i. that the report arising from STAGE TWO does not provide a detailed and clear explanation of the reason for the decision taken;

- ii. that there is clear evidence of a significant administrative error in the conduct of STAGE TWO;
- iii. that sufficient evidence remains that the complaint warrants further consideration.

7.3 The School Complaints Panel will normally be chaired by the Principal and will consist of:

- A senior member of the School not so far involved with the complaint or its investigation
- A representative of the Students' Union
- A governor of the School who is not a member of School staff.

The quorum shall be three.

A secretary to the Panel will be appointed by the Secretary & Dean of Students.

7.4 The composition of the Panel will be determined by the Principal in consultation with the Secretary & Dean of Students with regard to the nature of the complaint and the principle of impartiality.

7.5 If a complaint is lodged against the Principal directly, the Secretary & Dean of Students will refer the matter to the Chair of the Board of Governors who will either uphold the decision, which will conclude the School's investigatory processes, or will refer the matter to the School's Complaints Panel if the grounds for appeal in 7.2 are demonstrated. The Chair of the Board of Governors will then Chair the School's Complaints Panel, according to the principles outlined in 7.3 and 7.4 above.

7.6 The Secretary & Dean of Students will arrange a date for the hearing of the Complaints Panel as soon as convenient, giving at least 10 working days' notice of the hearing.

7.7 The Secretary & Dean of Students will supply the Panel with all documentation so far assembled in connection with the investigation of the case. This will be circulated at least five working days before the meeting.

7.8 The complainant and the person* against whom the complaint is made will have the right to appear before the Panel and to supply additional information or to call witnesses. Additional information and a list of witnesses should be supplied to the Secretary & Dean of Students in time for circulation to the Panel at least five working days in advance of the hearing. Any information supplied after such time may be accepted only at the discretion of the Panel.

** Where the complaint is against a department rather than a named individual, 'person' in this instance shall refer to the Head of Department or their nominee.*

7.9 All information available to the Panel will also be made available to the complainant and person against whom the complaint is made.

7.10 The Panel will determine its way of operating (including calling witnesses) with the proviso that both the complainant and the person against whom the complaint is made will both have an opportunity to make their case in person to the Panel. If either party does not choose to appear before the Panel, the Panel may make whatever inference it sees fit.

7.11 The complainant and the person against whom the complaint is made may be accompanied by a friend provided that the name of the supporter and their relationship to the complainant, or the person against whom the complaint is made, is made known to the Secretary & Dean of Students prior to the meeting.

7.12 The Panel will reach a decision and propose a remedy, if appropriate, and communicate its decision to the Secretary & Dean of Students within 3 working days of the hearing. The Secretary & Dean of Students will communicate the outcome of the complaint to all parties and will also ensure that the complainant is informed that the School's investigation of the complaint is now completed. The Secretary & Dean of Students will advise the complainant that if they are dissatisfied with the final outcome they may take their complaint to the *Office of the Independent Adjudicator (OIA)*: they will provide the complainant with the "Completion of Procedures Letter" and all the necessary information the complainant needs to enable them to pursue their complaint with the OIA (see Section 5, Regulation 3).

8. Record of Complaints

8.1 The Head of Registry Services or the Secretary & Dean of Students will make a record of all complaints investigated by the School at STAGE 2 or beyond and will make an annual summary report of such complaints and their outcomes to the Academic Board.

8.2 The Secretary & Dean of Students will consider the annual summary of complaints and make any recommendations for amendments of School procedures to the Academic Board, as part of the annual report.

9. Malicious Accusations

9.1 The School will reserve the right to take disciplinary action against any student who is found to have initiated a malicious complaint against the School, a member of its staff or another student. A complaint will be deemed to be malicious if it is found to be baseless.

Appendix a: List of relevant contacts

The Secretary & Dean of Students is Katharine Lewis.

Guildhall School of Music & Drama
 Silk Street
 London EC2Y 8DT
 Telephone: 020 7382 7143
 E mail: katharine.lewis@gsmd.ac.uk

A list of appropriate persons to contact in relation to complaints made under STAGE ONE of the procedure follows. (The list is not exhaustive. If you are in doubt as to where you should address a complaint, please ask). Contact details can be found at the School main reception.

Department	Contact
Registry	Stacey Balsdon Head of Registry Services
Finance	Nikki Cornwell Head of Finance
Student Accommodation (facilities related); Domestic Services & Client Service Managers	Sheree Miller Barbican
Student Accommodation (community related)	Julia Oliver Student Life Officer
Library	Kate Eaton Head of Library
IT Services	Dominic Smith Head of IT
Student Affairs	Sue Cowan Head of Student Affairs
Production Arts	Andy Lavender VP & Director of Production Arts or Relevant Head of Pathway
Acting	Orla O'Loughlin VP & Director of Drama Or Brodie Ross, Head of Acting
Music (programmes)	Alessandro Timossi Head of Music Programmes
Music (other)	Relevant Head of Department or Jonathan Vaughan VP & Director of Music
BA PACE	Gilly Roche Head of Interdisciplinary Practice