

# EAST MIDLANDS SCHOOL OF BUSINESS & MANAGEMENT



## APPEALS AND COMPLAINTS POLICY

<b>Last reviewed on:</b>	12 <sup>th</sup> February 2014
<b>Next review in:</b>	February 2015
<b>Responsibility:</b>	Managing Director/Senior Administrator
<b>Approved by:</b>	Managing Director

**Please contact the College Management if you have any difficulty understanding the context of this policy.**



## INTRODUCTION

East Midlands School of Business and Management (ESBM) is committed to monitoring and evaluating all its services to enhance their quality. Feedback and comments on these services are always welcome.

ESBM welcomes applications and enquiries regarding courses, fees and other information. However, we do recognise that there may be times when students or applicants feel they have a genuine cause for complaint.

The Complaints and Appeals Policy and Procedure is the mechanism by which applicants and students enrolled with the College can obtain redress, as far as possible, for any disadvantage, damage or distress caused by acts of omission or commission of the College, its staff or agents.

The Complaints and Appeals Policy and Procedure exists to provide the opportunity to raise any concerns which you might have and for the College to resolve these issues as quickly and as fairly as possible. It can be used to process complaints by both applicants and students enrolled at the College.

## SCOPE

### APPLICATION COMPLAINTS PROCEDURE

A complaint about the way an application to the College has been handled can include:

Processing of Disclosure Barring Service (DBS) and/or Occupational Health matters;

When an applicant feels discriminated against on grounds of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including ethnic origin, colour, nationality and national origin), religion or belief (including philosophical belief), sex, or sexual orientation. This would constitute a breach of the College's Equality and Diversity policy;

When a member of staff has behaved inappropriate during the application, such as during an interview.

Complaints will not be considered:

When an applicant has been judged unsuitable to study a programme at the College;

When an applicant has failed to satisfy non-academic requirements specified by external agencies for a particular programme;

When a complaint is submitted anonymously.



## STUDENT COMPLAINTS PROCEDURE

In an effort to resolve misunderstandings or concerns, a student must first make every effort to resolve the problem by discussing his or her concerns with the faculty or staff member against whom the complaint is lodged and the Academic Manager.

If the concern still persists or the student is not comfortable discussing the matter to a member of staff, the student may discuss the complaint with the Managing Director.

Hence, the student must complete the ESBM complaints form which is available in reception.

Students are defined as those enrolled at the College. Former students may submit a complaint as long as the complaint relates to an issue they had whilst they were enrolled as a student at the College.

Complaints can include each of the following:

An issue with the student's educational experience;

An issue concerning the services provided by the College;

An issue when the College's Equality and Diversity policy has been breached. i.e. when a student feels discriminated against on grounds of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including ethnic origin, colour, nationality and national origin), religion or belief (including philosophical belief), sex, or sexual orientation.

When a student has concerns that he or she is being victimised, harassed or bullied by a member of staff;

When a student or other students have concerns that they are being victimised, harassed or bullied by another student or other students;

When a student feels that he or she has suffered an injustice because of a commission or omission of the College;



## PRINCIPLES

The guiding principles by which the Complaints and Appeals Policy and Procedure operate are founded upon the principles that:

An applicant or student shall not feel disadvantaged or discriminated against in making a genuine complaint;

Complaints will be dealt with as swiftly as possible within the resources available. The College will seek to find resolutions that are reasonable and acceptable to all parties;

All information submitted in relation to the Formal Complaint will be dealt with confidentially and will only be disclosed to those parties involved in the investigation and judgement of the complaint, or as necessary to progress the complaint, or as required by law.

Reasonable time will be allowed in order to seek guidance or assistance in relation to the Formal Complaint procedure;

An applicant or student must first make every effort to resolve the problem by discussing his or her concerns with the College before a Formal Complaint is made;

All Formal Complaints will be investigated by individuals who are independent of and have no prior knowledge of the applicant or student, or of the case;

Students have the right to a third party (such as a relative or friend) to be present at any meeting arranged to discuss the complaint, so long as the third party is not acting in a legal capacity;

The College will make every effort to maintain the confidentiality of individuals but will balance this with the right of the complainant to know the outcome of his/her complaint;

All parties will be kept informed at all stages of any progress made during a complaint's procedure. They will be informed in writing of the outcome, the reasons for the decision and any proposed solutions to the problem when it is possible to do so. When this is not possible the parties concerned will be informed as to the reasons why this cannot be done;

It may sometimes be necessary to disclose details of the complaint to other persons or organisations in order to resolve the dispute;

The College will ensure that appropriate remedial action is taken to resolve a complaint, which may lead to the need to change certain aspects of its operations. This may occur when an investigation into a complaint has identified the need to address or revise that aspect of the College's operations which led to the complaint.



## PROCEDURE

An applicant or student wishing to make a formal complaint should complete the ESBM Complaints Form, which is available from reception.

A student submitting a formal complaints form must specify the address to which the correspondence relating to the complaint should be sent. Correspondence sent to that address will be assumed to have been received.

Copies of all previous correspondence related to the complaint should be enclosed together with reasons why the complaint is being made.

The College will write to the applicant or student within 15 working days of the completed Complaint Form being received. If it is not possible to resolve the issues of the complaint within this time the College will write to the applicant or student and outline the reasons why this has not been possible.

A written response will be provided, which will state that:

There are grounds for further investigation and the complaint will be considered accordingly;

or

There are no/insufficient grounds upon which the complaint has been made , if you are unsatisfied with the response please fill in the appeals form enclosed .

If the applicant or student is satisfied by the response then the complaint is said to be resolved; otherwise, the applicant or student has the right to appeal this decision.

If the complaint from or on behalf of a student remains unresolved to the student's satisfaction, he/she may appeal in writing to the Director. The Director will put forward the complaint to a panel which includes at least two people who have not been directly involved in the matters detailed in the complaint, one of whom is independent of the management and running of the college

The panel's decision is final in this regard and the decision shall be communicated to the concerned in writing as soon as it is taken.



## ESBM Formal Complaints Form

WE SUGGEST YOU READ THE NOTES FOR GUIDANCE BEFORE YOU COMPLETE THIS FORM

OUR REFERENCE:
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### YOUR DETAILS

<b>FIRST NAME(S)</b>		<b>TITLE</b>
<b>FAMILY NAME</b>		
<b>COLLEGE ID NUMBER</b>		
<b>PROGRAMME OF STUDY</b>		
<b>YEAR/ACADEMIC STAGE</b>		
<b>SCHOOL</b>		
<b>ADDRESS FOR CORRESPONDENCE (INCLUDE POSTCODE)</b>		
<b>DAYTIME PHONE</b>		<b>FAX</b>
<b>EMAIL ADDRESS</b>		



**YOUR COMPLAINT**

***PLEASE SET OUT BELOW THE KEY POINTS OF YOUR COMPLAINT***

*N.B. your complaint must be summarised here even if you attach other documents*

**What documented evidence do you have to support your complaint? Please give details**



**Who did you approach to resolve your complaint informally? What action if any taken to remedy your complaint?**

*Name*

*Action Taken*

*Approximate Date*

**What prevented the complaint being resolved informally?**

**Who else have you discussed this complaint with?**

*Name*

*Approximate Date*

**How do you propose that your complaint could be resolved to your satisfaction?**

**DECLARATION**

I declare that the information given in this Formal Complaints Form is a true statement of the facts and that I would be willing, if required, to answer further questions related to it.

I also agree (in accordance with the Data Protection Act) to this form being held on file by the Academic Manager.

Signed.....D  
ate.....

Completed forms should be handed in or posted to the Managing Director or Academic Manager including a receipt. **Please ensure you keep a copy for your own records.**





## EAST MIDLANDS SCHOOL OF BUSINESS AND MANAGEMENT

### Appeals Form

Before completing this form you should read ESBM's Appeals and Complaints Policy. You must only use this form to appeal against the outcome of a formal complaint you have submitted to the College.

You must attach a copy of the letter issued by ESBM responding to your formal complaint and complete all sections of this form before we can consider your appeal.

#### **Your personal Details**

Mr/Mrs/Miss/Ms or other title:

First name:

Surname:

Course:

#### **Your contact details**

Your address:

Postcode:

Email address:

Daytime contact telephone number (between 9.00am and 5.00pm):

Alternative contact telephone number (e.g. mobile):



# East Midlands School of Business & Management

**Please explain why you are not satisfied with the response you have received to your formal complaint.**

Please use additional sheets if required

**What would you like the College to do to resolve your complaint? (i.e. what reasonable solution(s) are you looking for?)**

### **Your declaration and signature**

I confirm that the information given on this form is true and correct and in submitting this form I understand that ESBM:

- Will not accept complaints or appeal from third parties or anonymous sources.
- May need to share information with other persons or external organisation as part of any investigation to resolve my complaint or appeal

Signed: .....

Print Name: .....

Date: .....

Please send this form and any associated documents related to your appeal to the Managing Director at the address given below:

**Managing Director  
ESBM  
5 St James Street  
Leicester LE1 3SU**