

## London School of Economics and Political Science

### Student Complaints Procedure

#### Section One-How to Raise a Complaint

##### **Introduction**

1. This Student Complaints Procedure (“this Procedure”) sets out how the London School of Economics & Political Science (hereinafter “the School”, “we”, “us”, “our”) will deal with complaints that a student of the School (“you”) may wish to pursue. Our aim is to make this Procedure accessible and understandable, as well as to encourage the early resolution of complaints in a way that is fair, reasonable and proportionate. It should be read in conjunction with the General A-Z guidance set out in Section Two.

2. For the purpose of this Procedure, we consider you to be a student of the School if:

2.1. You are a registered student as long as you are pursuing a programme of study for which you are receiving teaching and/or supervision, or from which you are on an authorised temporary absence that does not require interruption or an extension to the length of your programme of study; or you are on a period of authorised interruption or have been suspended from your programme of study.

2.2 You are a Former Student, as long as any complaint is lodged within three months after your programme of studies has formally ceased.

3. We define a complaint as an expression of dissatisfaction by one or more students about an academic or administrative service or facility that we or someone on our behalf provides you from your acceptance of our offer of a place at the School up to the end of your programme of study with us.

4. This Procedure aims to enable you to understand how we would normally handle student complaints.

##### **Stage 1- Early Resolution**

5. This stage is aimed at addressing straightforward concerns swiftly and locally rather than escalating them into formal complaints. This stage could include a face-to-face discussion with you or asking an appropriate member of staff, or mediator/conciliator to deal with the matter.

6. If you wish to raise a complaint, or undertake mediation, you should do so within **Twenty (20) working days** from the date of the incident/s. This will provide us with an opportunity to attempt to resolve the issue/s as efficiently and as amicably as possible. You can present your complaint to the following people:

6.1. If your complaint concerns an academic matter: your Academic Mentor, Personal Tutor, Supervisor, Programme Director or Head of your Academic Department, or;

6.2. If your complaint concerns a non-academic matter: the School Senior Advocate for Students, the person with whom you have been dealing, their line manager or the Service Leader of the relevant Division.

7. Unless there is good reason for not attempting an early resolution, we will not normally investigate issues as a formal complaint without the early resolution stage being followed.

## **Stage 2-Formal Complaint**

8. If you are dissatisfied with the outcome of the early resolution or mediation, or consider this stage to be inappropriate, or if the issues are complex and may require a detailed investigation, then you can pursue a formal Complaint by submitting the Complaint Form (Appendix A) to the School Secretary ("the Secretary").

9. The School aims to complete consideration of a formal complaint and any associated review within ninety (90) calendar days. The deadline requires that you meet all deadlines we set you for submission of evidence. In some cases, we may need to extend our deadline and in these circumstances we will contact you to inform you of this and keep you regularly updated on the progress of your case.

10. You must send your Complaint Form to the Secretary by no later than:

10.1. **Ten (10) working days** from the end of an attempt at early resolution or mediation; or

10.2. **Twenty (20) working days** from the date of the incident/s, with an explanation of why you have not attempted early resolution or mediation.

10.3 **Three (3)** months from the date your programme of study formally ceased.

11. You are asked to set out your complaint clearly and where possible provide evidence to substantiate the issues raised. You should state the outcome you are seeking. The types of evidence you can provide include but are not limited to:

- Independent medical evidence
- Expert reports by professionals
- Witness statements
- Relevant correspondence
- Financial information

12. On receipt of your formal complaint, the Secretary will carry out an initial consideration of your complaint and as soon as is reasonably practicable will write to you to confirm:

12.1. Whether s/he considers your complaint to be eligible under this Procedure, and:

12.1.1. If it is eligible, how s/he intends to deal with it; or

12.1.2. If it is not eligible, explain why not and how you can appeal against his/her decision under section 13 below;

12.1.3 Whether the complaint should be referred to a different procedure

12.1.4 Whether the complaint is to be referred to conciliation or mediation

12.1.5. Whether s/he intends to put in place any alternative study or work arrangements while your complaint is investigated, which you and/or an affected party can appeal against under section 13 below; and

12.1.6. If s/he has delegated the matter, the name of the individual who will be responsible for investigating. S/he can delegate decision-making powers on your complaint only to another member of staff at an appropriate level

12.1.7 Whether swift action needs to be taken in cases which include but are not limited to:

- Complaints involving a threat of serious harm
- Cases where the impact of the issues raised may have detrimental consequences for an individual's mental health or where they display significant stress
- Complaints relating to disability support
- Issues of serious and repeated service failure and/or significant delay
- Issues of a highly sensitive nature

13. An investigation into your complaint will take account of any evidence that you have presented to us. Any investigation may involve separate meetings with you and any other relevant parties. You and other parties have the right to be accompanied to any meetings and to comment on a written record of the proceedings. Please note that anyone who accompanies you or any other party to a meeting, such as an adviser from the Students' Union, should do as a silent observer, unless a reason to do otherwise is presented to, and agreed by, the person who has requested the meeting. We would not normally accept students being accompanied by someone acting in a legal capacity unless this is requested and agreed as a reasonable adjustment.

14. Once the investigation into your complaint is complete, you will receive the Secretary's decision in writing. If your Complaint is rejected, the Secretary will:

- Set out the reasons behind his/her decision;
- Explain any actions that s/he may have decided to take;
- Inform you of whom you should contact if you wish to request a review.
- Include the grounds on which you can request a review; and
- The time limit for a review

15. If you do not take the complaint to the Review stage within the time limit for doing so, then the School will close the complaint and notify you in writing. A completion of Procedures letter (noting that you did not complete the School's internal processes) can be issued at this point, if you request it.

15.1 If the School decides to uphold a complaint, then you will receive this decision in writing and it will explain:

- How and when any remedy will be implemented
- What you can do if you remain dissatisfied

### **Stage 3 Review**

16. If you are dissatisfied with the Secretary's Decision, you may submit a Review to a Pro-Director within **fifteen (15) days** of receipt of the Secretary's Decision.

17. A Review is not an opportunity to re-submit your complaint for a second opinion.

17.1 As such, a request for a review may be made on the following grounds:

- A procedural flaw or irregularity that caused reasonable doubt as to whether the same decision would have been reached had it not occurred
- New material evidence, which must be supported by a valid explanation as to why it was not submitted earlier in the process and is instead being submitted at this late stage; and
- The decision was unreasonable or disproportionate.

With these factors in mind, your Review should:

17.2. Set out the grounds on which you are requesting a Review;

17.3. Attach any new evidence, along with an explanation as to why this evidence is being submitted at this late stage of the Procedure; and

18. The Pro-Director will decide to either uphold or overturn the Formal Complaint decision within twenty-eight (28) days of receipt of your Review request.

19. If the Pro-Director rejects your Review and upholds the Formal Complaint decision, he/she will convey their decision in writing in a **Completion of Procedures letter**. It will:

- Set out the reasons behind their decision;
- Explain any actions that they may have decided to take; and
- Inform you of your right, and how, to approach the Office of the Independent Adjudicator for Higher Education.

20. If the Pro-Director overturns the Formal Complaint decision, the School will then write to you to explain how and when we will implement any remedy proposed by the Pro-Director. The remedy may include referring the complaint back to the formal stage for reconsideration.

In these circumstances, a Completion of Procedures letter can be issued if requested by you if you are unhappy with the remedy proposed.

### **Office of the Independent Adjudicator for Higher Education**

21. If after receiving the Completion of Procedures Letter from a Pro-Director, you remain dissatisfied with the outcome of, or the way that we have handled, your complaint, you may approach the (OIA). This organisation provides an independent scheme for the review of student complaints. The OIA normally require you to have completed our internal Procedure and received a Completion of Procedures Letter from us before you approach it by completing a Scheme Application Form. You can find more information on its website at [www.oiahe.org.uk](http://www.oiahe.org.uk).

## **Section Two -General A-Z Guidance**

### **1. Advice and Alternative Procedures**

It is impractical for our Student Complaints Procedure ('this Procedure'), or any other procedures, to cover every kind of issue that a student wishes to raise with us. We therefore have a number of different procedures to deal with specific types of circumstances, issues or events. You should note that you cannot use this Procedure to:

- Question the academic judgement of one or more members of staff;
- Appeal against examination marks;
- Complaints and Appeals against an admissions decision;
- Raise issues concerning a position of employment;
- Question the actions or policies of the LSE Students' Union; or
- Appeal against a decision reached under a different Procedure.

If there is already a separate complaint procedure that you are subject to and which you must use in the first instance.

In some cases, your complaint may not be easily categorised into one School Procedure. If this is the case, the School will inform you of which specific issues will be considered under which specific procedure and we will direct you to the alternative appropriate procedure for any remaining issues. If two procedures are to be pursued at the same time, then one procedure may be suspended pending the completion of another.

Alternatively, the School may decide, with your Agreement, to consider matters altogether. If this is the case, then the School will inform you about how matters will be investigated, where responsibility for overall conduct of the matter lies, and who will issue the final decision.

You can obtain advice on the way we might handle the issue/s that you wish to bring to our attention by approaching any of the following people:

- Your Academic Mentor or Head of Department.
- The Head of the relevant administrative department.
- The School Senior Advocate for Students
- The Adviser to Female Students.
- The Warden or Sub-Warden of your hall of residence.
- The Head of the LSE Legal Team.
- The Ethics Manager.

You can also seek independent advice from The LSE Students' Union Advice Centre.

You can find their contact details on our website (see our 'What to do if you have a problem' page) or by visiting or contacting The Student Services Centre ([ssc.advice@lse.ac.uk](mailto:ssc.advice@lse.ac.uk)) in the Old Building.

We will normally refer complaints about a third party to the organisation that is responsible for that party.

### **2. Anonymous Complaints**

We will not normally pursue anonymous complaints where we believe our doing so would compromise the fairness and/or reasonableness of this Procedure.

### **3. Collaborative Programmes**

If your programme of study is provided by us in collaboration with one or more institutions, we will not use this Procedure to consider your complaint if it was agreed between us and the other institution/s that another procedure would apply. We will ensure that you are made aware of, and have access to, the relevant procedure.

### **4. Confidentiality**

It is essential that you feel confident and secure about raising a complaint. We will therefore keep information confidential, unless doing so would compromise the fairness and thoroughness of our investigation, or we are required to disclose information by law, which includes our having to comply with the relevant data protection legislation such as the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) (2016/679). Such legislation requires us to handle and record your and other people's personal information securely and for relevant purposes only. It also gives you and other people the right to access your personal information, which in general terms is any information that could be considered biographical. Our normal approach is to disclose information on a 'need to know' basis.

### **5. Criminal Investigations**

We will not normally look into a matter that is also the subject of an external criminal investigation until that investigation is concluded, but we reserve the right to conduct an internal investigation at any point when we deem it appropriate to do so. Examples of our doing so may include the need to prevent harm being caused to other members or the day-to-day business of the School.

### **6. Equal Opportunities**

When necessary, we will put in place reasonable adjustments and provide you with additional support to help you use this Procedure. Such measures may involve us extending a deadline, providing a translation service or amending this Procedure. You should present any requests to make adjustments to the Head of the LSE Legal Team or other person who is overseeing an investigation, either directly or through a third party

### **7. Frivolous, Vexatious or Misleading Complaints**

Frivolous or vexatious complaints include but are not limited to:

- Complaints or academic appeals which are obsessive, harassing or repetitive
- Insistence on pursuing non-meritorious complaints and/or unrealistic outcomes
- Insistence on pursuing what may be meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose or value

The School has the discretion to terminate consideration of a complaint if it considers it to be frivolous or vexatious as outlined above. In these circumstances, we would write to you explaining why we were terminating consideration of the matter with details on how to appeal. For the avoidance of doubt, the individual reviewing the appeal would only review the information previously provided by you including any representations you have made and will decide whether to confirm the decision that the complaint is frivolous or vexatious or to re-open the complaint.

We may also consider taking disciplinary action if your complaint is considered to be frivolous, vexatious or deliberately misleading.

## **8. Group Complaints**

We will consider how to deal with complaints by two or more persons on a case-by-case basis, though, as far as is practically possible, we will follow this Procedure. We will notify you and any other complainants of any procedural changes, which we reserve the right to make, provided our procedure remains fair, reasonable and timely in the circumstances.

The School may accept Group complaints where the same issue(s) affects a number of students. In this case, the School will require the Group to appoint a spokesperson to represent the group as a whole and to liaise with other students.

The School reserves the right to separate out group complaints where individual remedies would be more appropriate and to apply a resolution to a wider number of students than may have submitted the group complaint.

The decision will be addressed to the 'group spokesperson.' All students party to the group will be named in the decision letter and any subsequent letters and a copy will be sent to all students' party to the group.

If a student wishes to withdraw from the group at any time, this should be confirmed in writing, either by email or post, to the person managing the complaint.

For Data Protection Purposes, each student party to the group will be required to sign an individual Group Complaints Consent form. The consent of all parties to the group will need to be received by the person managing the complaint prior to accepting the group complaint.

## **9. Legal and Third Party Representation**

As one of our students, our contractual relationship is with you. In this regard, we will not consider any complaint that is submitted by a third party unless we are satisfied that you have given that party your explicit permission to do so.

This Procedure is subject to the civil law evidential test of the 'balance of probabilities' and the independent complaints service that is run by the Office of the Independent Adjudicator for Higher Education (OIA). As such, we would normally expect you to approach us, and subsequently the OIA if you are dissatisfied with our response, without legal representation.

## **10. Mediation**

Mediation can be helpful in resolving complaints at an early stage and can be used as an alternative at any point before or after a complaint is submitted. You will not lose your right to submit a formal complaint if mediation is unsuccessful.

## **11. Procedural Bias**

The person/s against whom a complaint is made will not have a role in the decision-making process of our handling of a complaint.

Therefore, if your complaint concerns someone who is designated as having a role in this Procedure, the School will use its discretion to nominate another person to perform the role.

## **12. Procedural Delays**

We will give you, and you must give us, notification, and reasons for, any procedural delays or the missing of a deadline, in advance of the set deadline. We reserve the right to decide



whether to dismiss or continue with our handling of your complaint if you fail to notify or respond to us by a set deadline.

### **13. Procedural Deviations**

If we believe it to be appropriate, necessary, and practical or are given sufficient grounds to do so, we may vary this Procedure to resolve your complaint. We will not make any amendments that would compromise the fairness, reasonableness and/or timeliness of this Procedure, and we will explain our reasons for any amendments to you and the subject/s of your complaint.

If the matter complained about is subject to other internal procedures and these have not yet been completed, then any complaint received under this Procedure will be stayed pending the outcome of the other proceeding.

Deviations from this Procedure will not invalidate any action taken against a student unless the integrity of the process is compromised. The person who is overseeing an investigation, usually the Secretary, a Pro-Director or a Board of Discipline, will decide when and how to deviate from this Procedure, and explain to the affected parties the reason for doing so.

### **14. Protection**

We will take appropriate steps, including the possibility of disciplinary action, to protect any parties involved in a complaint case from being victimised or treated unfairly.

### **15. Record Keeping**

We will not keep a record of your complaint on your student file unless:

- you agree that it is appropriate for us to do so; or
- if we find your complaint to be frivolous, vexatious or deliberately misleading.

**End.**

**Revised by Refel Ismail, Legal officer, 1<sup>st</sup> August 2018**

**London School of Economics and Political Science**

**Student Complaints Procedure**

**Appendix A: Complaint Form**

<b>Student ID:</b>	
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<b>Surname:</b>	
<b>First Name:</b>	
<b>Address/Email:</b>	
<b>Telephone:</b>	
<b>Date of incident :</b>	
<b>Summary of complaint:</b>  [This should include what the incident is that is referred to, where the incident happened, the parties involved, the basis of the complaint and, where appropriate, the outcome sought.]	[

Signed:

Dated:

**London School of Economics and Political Science  
Student Complaints Procedure**

**Appendix B: Complaint Process**

Are you a student of the School?



Have you missed the deadline for submitting a formal complaint? The School will not normally consider a complaint raised more than twenty working days from the date of the incident.



Raise the complaint for Early Resolution



If dissatisfied with the early resolution or if the early resolution is not suitable raise a Formal Complaint in writing to the School Secretary within ten working days of incident or outcome of Departmental Level.



The School Secretary will make a decision on the Formal Complaint



If dissatisfied with the School Secretary's decision, you can request a Review within fifteen working days of receipt of the School Secretary's decision.



Grounds for Review

1. A significant procedural flaw or irregularity that caused reasonable doubt as to whether the same decision would have been reached had it not occurred;
2. New material evidence, which must be supported by a valid explanation of why it was not submitted earlier in the process and is instead being submitted at this late stage
3. The decision was unreasonable or disproportionate.



Formal complaint decision either upheld or overturned by the Pro-Director  
Completion of Procedures Letter issued within 28 days of receipt of a Review