



# Guide to Student Complaints

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## About this Guide:

- This Guide sets out how to raise a complaint if you are a student of a Member School of the Conservatoire for Dance and Drama, and explains the procedures for resolving complaints.
- This Guide covers Stage 1 and Stage 2 of both **the Conservatoire Student Complaints Procedure** and **BOVTS Student Complaints Procedure**.
- This Guide provides information about Stage 3 of the **Conservatoire Student Complaints Policy and Procedure**, please see this guide.
- For guidance on Stage 3 of the **BOVTS Student Complaints Policy and Procedure**, please see the information provided by the University of the West of England at the following link: <https://www1.uwe.ac.uk/about/contactus/complaints/submittinagacomplaint/stagethreecomplaints.aspx>

## Student Complaints and the Validating Universities that award the degrees:

- Stages 1 and 2 of the Conservatoire Student Complaints Policy and Procedures and the BOVTS Student Complaints Procedure follow the same process.
- Stage 3 of the Conservatoire Student Complaints Procedure ('Appeal incorporating Conservatoire Review') is different from Stage 3 of the BOVTS Student Complaints Procedure ('Request for Review').
- Stage 3 of the BOVTS Student Complaints procedure ('Request for Review') follows the Stage 3 procedure of the University of the West of England (UWE).

For complaints, concerns or issues regarding any kind of discrimination, harassment, sexual misconduct, aggression or micro-aggression, or other unacceptable behaviour on the part of any individual (including any student, staff member or person external to the Conservatoire), please see the Policy on Sexual Misconduct, Harassment & Related Behaviours.

Such complaints, concerns and issues can be first raised confidentially under Stage 1 (Initial Support and Early Investigation) of the Policy on Sexual Misconduct, Harassment & Related Behaviours. During this Stage you will be provided with support and the Early Investigation Officer will explore with you the various available options, including your preferences for addressing the issues you have raised and whether you may wish to make a complaint under the Student Complaints Procedure.

# Student Complaints Procedure Flow Chart

## STAGE 1: INFORMAL RESOLUTION

Student to attempt to resolve issues or concerns informally at a local level through discussion with the appropriate Module Tutor or Course Leader (for academic related complaints) or member of staff in the relevant Module / Course Team or School, or Professional Services Department (for non-academic complaints).

**Timeframe for completion: as near as possible to the point in time at which the problem occurred**

**SATISFIED WITH OUTCOME:**  
End of complaints process

**DISSATISFIED WITH OUTCOME:**  
GO TO STAGE 2

## STAGE 2: FORMAL RESOLUTION

If the complaint is not resolved informally, student to submit a completed [Student Complaint Form](#) (or if a group complaint, Lead Student to submit a [Student Group Complaint Form](#)) together with appropriate supporting evidence to CDD Assistant Registrar at [qualityoffice@cdd.ac.uk](mailto:qualityoffice@cdd.ac.uk) no later than three months from the complainant being aware of the incident/sequence of events giving rise to the complaint.

If the Complaint is in time, it will be forwarded to the School Principal or Academic Registrar of the Conservatoire to nominate a Stage 2 Investigator.

Stage 2 Complaint Investigation will be undertaken by a senior director/manager of the student's School (or nominee), or an officer of the Conservatoire either from the central office of the Conservatoire or another Conservatoire School, as appropriate.

**Timeframe for completion: Normally 21 days from the date of receipt by the School of the completed Complaint Form.**

**SATISFIED WITH OUTCOME:**  
End of complaints process

**DISSATISFIED WITH OUTCOME:**  
GO TO STAGE 3

**BOVTS Students follow**  
[UWE Stage 3 Procedure](#)

**END OF COMPLAINTS  
PROCEDURES & RECOURSE  
TO OFFICE OF INDEPENDENT  
ADJUDICATOR (OIA)**

Completion of Procedures  
(CoP) Letter sent within 28  
days of final Stage 3 Outcome

## CDD STUDENT COMPLAINTS PROCEDURE STAGE 3: Appeal incorporating Conservatoire Review

If student feels they meet either or both grounds for an appeal, they can submit a Stage Three Appeal (using the [Student Complaint Form](#)) to the Conservatoire CEO at [qualityoffice@cdd.ac.uk](mailto:qualityoffice@cdd.ac.uk) within 14 days of the date of the Stage Two Outcome letter. The CEO (or nominee) will review whether the Stage Three Appeal submission meets the grounds for an Appeal Panel to be appointed will normally be completed within 21 days following receipt of the Stage Three Appeal request.

**Timeframe for completion of review: Review Outcome Letter will be sent to complainant normally 21 days from the date of receipt by the CEO of the appeal.**

### What is the policy?

The Student Complaints Policy and Procedures are the means by which your School deals with complaints made by one or more students. The Conservatoire defines a complaint as being an expression of dissatisfaction about an action or lack of action by a Conservatoire Member School, or about the standard of service provided by or on behalf of a Conservatoire Member School.

All decisions and findings reached at any stage of the procedures are made on the balance of probabilities. The balance of probabilities means that for a complaint to be upheld, the evidence presented to the complaint decision-maker (e.g. the Stage Two Investigator or the Complaint Appeals Panel) must show that it is more likely than not that the grounds for a complaint have been met.

### What are the procedures?

A complaint may be investigated under the following processes that are covered by the Student Complaints Policy and Procedures:

<b>PROCEDURE and RELEVANT SECTION OF POLICY</b>	<b>EXPLANATION OF PROCEDURE</b>
<p><b><i>Informal procedures:</i></b> <b>STAGE ONE, INFORMAL RESOLUTION</b></p> <p>Paragraphs 44 - 48</p>	<p>If you wish to complain about something, wherever possible talk to a member of staff to try to resolve the problem initially. For example, you might wish to speak to the following:</p> <ul style="list-style-type: none"><li>• A lead tutor or head of department for a complaint relating to your programme / course;</li><li>• A member of registry staff for complaints about a student service or financial matter;</li><li>• A member of staff responsible for student support and wellbeing for complaints relating to discrimination, bullying or harassment.</li></ul>
<p><b><i>Formal procedures:</i></b> <b>STAGE TWO, FORMAL INVESTIGATION</b></p> <p>Paragraphs 49-53</p>	<p>If your complaint is not dealt with informally to your satisfaction, you can submit a formal complaint. Your Stage Two formal complaint will be investigated by a senior member of staff at your School, or an officer of the Conservatoire (either from the central office or another Conservatoire School).</p> <p>To make a formal complaint you must submit a completed Student Complaint Form (or, in the case of a group complaint, a completed Student Group Complaint Form) to the Assistant Registrar (Quality), in the Conservatoire central office, via email to <a href="mailto:qualityoffice@cdd.ac.uk">qualityoffice@cdd.ac.uk</a>. Both forms can be found on the Conservatoire website at <a href="http://www.cdd.ac.uk/policies/student-related-policies/">http://www.cdd.ac.uk/policies/student-related-policies/</a>.</p> <p>If the complaint is received within the required timescale it will be sent to the Principal of your School, who will appoint a member of staff to investigate the complaint, the Stage Two Investigator.</p> <p>The Stage Two Investigator may deem it necessary to interview you, and anyone else directly involved. The Investigator may also interview any person with an interest in or knowledge of the matter being complained about.</p> <p>At the conclusion of the investigation, the Stage Two Investigator will form a judgment on the merits of the complaint and the complainant will be informed in writing of their findings.</p>

<p><i>[cont...]</i></p> <p><b>Formal procedures: STAGE TWO, FORMAL INVESTIGATION</b></p> <p>Paragraphs 49-53</p>	<p>There are three potential outcomes to a Stage Two Complaint:</p> <ul style="list-style-type: none"> <li>• <b>Not upheld</b> There is insufficient evidence and no further action will be taken.</li> <li>• <b>Partly upheld</b> It is found that there is some merit in some aspect(s) of the complaint.</li> <li>• <b>Upheld</b> It is found that there is merit to all aspect(s) of the complaint.</li> <li>• For a complaint which is partly upheld or wholly upheld, possible resolutions include: <ul style="list-style-type: none"> <li>○ an apology;</li> <li>○ a clear explanation of the events or context that led to the incident in question;</li> <li>○ a change in procedures to ensure that the circumstances do not recur;</li> <li>○ referral of the complaint for consideration under another procedure (for example non-academic misconduct procedures),</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>○ a combination of these or other outcomes.</li> </ul> </li> </ul>
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### STAGE 3 of the Conservatoire Student Complaints Policy and Procedures

*Stage Three Complaints under the BOVTS Student Complaints Procedure are submitted directly to UWE.*

<p><b>REQUEST FOR AN APPEAL</b></p> <p>Paragraphs 54-55</p>	<p>Students at a Member School validated by the University of Kent may submit an appeal against an outcome of the formal complaint. Appeals must be made under one of the stated grounds (see paragraph 54-55 of the Policy).</p> <p>If your appeal request meets at least one of the grounds, a Complaints Appeal Panel will be organised. The Panel will review whether the original decision by the Stage 2 Investigator should stand, or be replaced with a new decision.</p>
<p><b>STAGE THREE: APPEAL</b></p> <p>Paragraphs 56-73</p>	<p>An appeal will initially be reviewed by the CEO (or their nominee).</p> <p>The Appeal Panel will consider the case of the appeal and determine whether there is sufficient evidence to cast doubt on the reliability of the decision made at Stage 2, and if so, will make a judgement on the complaint and if appropriate make proposals for recommendations of further actions.</p>
<p><b>ACADEMIC COMPLAINTS and recourse to the validating University</b></p> <p>Paragraphs 74-76</p>	<p>Once a student’s academic complaint has reached the end of the internal Conservatoire procedures, under the University of Kent’s regulations the complainant has the right to take their complaint to the University, by making a “Grievance to Council”.</p>
<p><b>COMPLETION OF PROCEDURES</b></p>	<p>Once all internal procedures have been concluded, you will be issued with a Completion of Procedures letter (see Paragraph 78 of the policy). The letter will advise of the option for making an application to the Office of the Independent Adjudicator (OIA), which operates an independent scheme for the review of student complaints. Students can request a Completion of Procedures letter at an earlier point in the process, however, should they wish, if they feel they do not meet the grounds of appeal.</p>

## **FAQs**

### **What sorts of things can I complain about under this procedure?**

Both the Conservatoire Student Complaints Procedure and the BOVTS Student Complaints Procedure allow a student at a Conservatoire School to complain about:

- the provision of academic programmes, i.e. how your training is provided;
- how your training is provided when you are on placement;
- inadequate services or facilities at a Conservatoire School, for example student welfare, learning resources or catering provided by the School;
- decisions, actions or perceived lack of action taken by a member of the Conservatoire (this might include in relation to other policies and procedures such as disciplinary);
- staff misconduct;
- student misconduct (see also the Non-Academic Misconduct policy);
- complaints relating to discrimination, harassment or bullying including, but not limited to, racist, homophobic, transphobic, misogynistic and ableist behaviours (please see the Conservatoire Policy on Sexual Misconduct, Harassment and Related Behaviours for further guidance about these kinds of complaints);
- matter(s) of complaint relates to operations of the committees and the administration of the Conservatoire

### **What sorts of things am I not able to complain about using this procedure?**

The student complaints procedure does not cover the following areas:

- Complaints arising from action taken under the Non-Academic Misconduct or Support Through Studies policies, (please see the appeals section of each of these procedures);
- Complaints arising from matters relating to academic progression and/or assessment – these are covered by the Academic Appeals procedure.

### **I am a student and wish to make a complaint, who should I contact?**

If you would like to complain about something, you can contact in the first instance the following people:

- A lead tutor or head of department if you wish to complain about your course or programme;
- A member of registry staff if you are complaining about something that relates to a student service or financial matter;
- Or a member of staff responsible for student welfare if you are complaining about discrimination, bullying or harassment.

If your complaint is about one of these members of staff, contact another member of registry staff or another course leader.

**Stage One** of the Student Complaints Procedure is known as '**Informal Resolution**'. If you raise a complaint with your School, normally it will be treated as a Stage 1 complaint unless you submit a Student Complaint Form and indicate you are making a formal complaint. Under Stage One of the Student Complaints Procedure, a member of staff (usually the person with whom you raised the complaint) will make enquiries (but not undertake a formal investigation) into your complaint, and seek to address and resolve the problem informally. The majority of complaints are resolved in this way.

If the situation is more serious or cannot be resolved informally, or if you are dissatisfied with the outcome after an informal resolution, you can make a formal complaint. In some cases the member of staff who has been informally investigating might decide that it would be dealt with more appropriately through Stage Two of the Student Complaints Procedure ('the formal stage'). If you decide you do not wish to make a formal complaint in any of these circumstances, the Conservatoire will consider that to be the end of the matter.

If you would like advice about whether you can complain about something, or advice about how the complaints procedure works, you can contact the Deputy Academic Registrar or the Assistant Registrar (Quality) at the Conservatoire.

### **I have made a complaint to a member of staff at School, but I am still not happy, what can I do?**

If you have made an informal complaint or spoken with a member of School staff informally about something and you are not satisfied that the matter has been satisfactorily resolved, you can make a formal complaint (a Stage Two Student Complaint), by completing the Student Complaint Form as fully as possible and including any evidence to support your complaint. You need to send your completed Stage 2 Student Complaint Form to the Conservatoire Assistant Registrar (Quality) via email to [qualityoffice@cdd.ac.uk](mailto:qualityoffice@cdd.ac.uk). The Student Complaint Form can be downloaded from the Conservatoire website at <http://www.cdd.ac.uk/policies/student-related-policies/>.

### **I have made a Stage Two Student complaint, but am still not happy, what can I do?**

If you have already made a formal Stage Two Student Complaint and are not satisfied with the outcome, you can move to Stage Three of the Student Complaints Procedure.

If you are a BOVTS student, you should submit a Stage Three Complaint directly to the validating university, the University of the West of England.

**For guidance on Stage Three of the BOVTS Student Complaints Policy and Procedure, please see the information provided by the University of the West of England at the following link:** <https://www1.uwe.ac.uk/about/contactus/complaints/submittinagacomplaint/stagethreecomplaints.aspx>

### **Stage Three of the Conservatoire Student Complaints Procedure (Appeal incorporating Conservatoire Review).**

Students whose degree is validated by the University of Kent who are dissatisfied with the Stage 2 outcome of their complaint should progress to Stage 3 of the Conservatoire Student Complaints Procedure. This stage is known as 'Appeal incorporating Conservatoire Review'.

Disagreeing with, or being unhappy about, the outcome of a complaint is not a valid ground of appeal. There are two grounds on which you can make an appeal to the outcome of the Stage 2 Student Complaint:

- firstly, if you think that there has been a significant procedural error, such as the Stage 2 Investigator was biased against you and that sufficient evidence remains that the complaint warrants further consideration;
- secondly if you have evidence which could not be made available at the time of the original complaint, and that sufficient evidence remains that the complaint warrants further consideration.

If you are appealing on the second of these two grounds, you should make clear why you were not able to make the evidence available at the point of your Stage 2 Complaint submission. You could make an appeal on both of these grounds.

You need to request an appeal in writing to the CEO by submitting a freshly completed Student Complaint Form, along with a copy of the original complaint form and the Stage Two Outcome Letter, via email to [qualityoffice@cdd.ac.uk](mailto:qualityoffice@cdd.ac.uk). The Student Complaint Form can be downloaded from the Conservatoire website at <http://www.cdd.ac.uk/policies/student-related-policies/>.

### **I have made a formal complaint and submitted an appeal, but am still not happy, what can I do?**

If you have made a Stage 2 Student Complaint and a Stage 3 Student Appeal and you are still not satisfied that the complaint has been resolved, you can take your complaint to the Office of the Independent Adjudicator for Higher Education (OIA) <https://www.oiahe.org.uk/>. The OIA is the ombudsman for student complaints and appeals in higher education and it is free to use for students. The OIA will normally only investigate complaints once they have been through the complaints procedure of a higher education provider, i.e. you cannot make a complaint directly to the OIA in the first instance, without having followed the formal complaints procedures, and you need a Completion of Procedures letter (known as a 'CoP' Letter) from the Conservatoire or the validating university to take the matter forward to the OIA.

### **What is a Completion of Procedures (CoP) letter?**

A Completion of Procedures, or 'CoP' letter as it's commonly known, is a letter required by the OIA before they will review a complaint. It is issued by the institution – depending on whether your validating university has been involved in your complaint, the CoP letter may be issued by either the Conservatoire or your validating university. It has 'requisite information' that the OIA requests the institution that is issuing the CoP letter must provide, such as the procedures that were used and details of the case. You need a CoP letter before you can take a complaint to the OIA.

### **When do I get a Completion of Procedures (CoP) Letter?**

Once the procedures have been completed (at the end of Stage 3) either the Conservatoire or the validating university will issue you with a Completion of Procedures letter. The CoP letter will normally be issued within 28 days of the final Stage 3 outcome letter. You will then have 12 months from the date of the CoP letter within which to take your complaint to the OIA.

### **How do I take my complaint to the OIA?**

To take your complaint to the OIA, once you have received your Completion of Procedures letter, you will need to fill in an OIA complaint form and submit it within 12 months of the date of your CoP letter. You can find out more information by visiting <https://www.oiahe.org.uk/students/how-to-complain-to-us/>.

### **I don't think I meet the grounds for a Stage 3 appeal but I am dissatisfied with my Stage 2 outcome. What can I do?**

In this instance, you can request a CoP letter from the Conservatoire by emailing the Conservatoire Academic Registrar [qualityoffice@cdd.ac.uk](mailto:qualityoffice@cdd.ac.uk) to inform them that you do not believe your complaint meets either of the Stage 3 appeal grounds and that you would like a Completion of Procedures letter. The Conservatoire will then issue you with a Completion of Procedures letter within 28 days of your email request. The Conservatoire will need to explain in the CoP letter that the internal student complaints procedures have not been completed and the reason(s) you have given.



### **Can someone help me to make a complaint?**

You can speak with the Deputy Academic Registrar or Assistant Registrar (Quality) about how the process works, about what sort of thing you can complain about and the kind of information you might want to include in a complaint. You can also speak to your course tutor, member of registry staff or a member of staff responsible for student welfare. None of these people will be able to tell you exactly what to say in your complaint as this must be written by you, but they can support you. You can also ask a family member or friend to help you with proofreading your complaint before submitting it to ensure it says everything you wish to raise.

If you speak to someone in your School for any advice with a complaint or appeal, it could be that they think that there might be a conflict of interest, as each School is small. Your School in this case might provide you with details of another person that you can contact. This might be someone from the Conservatoire's central office, or someone from one of the other Schools. That way, the person will be able to be fully independent from the process.

### **Several students in my class / School are not happy about something, what can we do?**

You can make a group complaint using the Student Group Complaint Form which only needs to be completed and submitted once, rather than everyone filling in their own separate complaint form. One student will need to be nominated as the 'lead student' for the complaint so that all communications go through that one student. Although you do not need to submit a Student Group Complaint Form under Stage 1 'the informal stage', you can use this form to do so if it is helpful.

Importantly, the Lead Student needs to ensure that they have the consent of all those who would like to make the complaint, and all students wishing to make the group complaint need to sign the form (this is known as 'express consent'). Obtaining express consent from all students is essential for three reasons:

1. It is essential for the Conservatoire to properly understand who is making the complaint. Presenting inaccurate information can compromise the proper investigation and resolution of a complaint.
2. By including a student's name as a complainant on a complaint form, this is submitting 'personal data'. In order to comply with the Data Protection Act (2018) and General Data Protection Regulations (GDPR) (2018), the lawful basis for processing this data is 'consent'. If consent is not provided, this prevents the Conservatoire from processing this 'personal data' as it would be unlawful for us to do so.
3. False and/or misleading information (including information about which students are making a group complaint) may be deemed by the Conservatoire as 'making the complaint in bad faith, and this may lead to disciplinary action (see paragraph 31 of the Student Complaints Procedure). Presenting a student as though they have consented to making a complaint when consent has not been given may be considered misconduct under the Conservatoire's Non-Academic Misconduct Policy, and action may be taken under the Non-Academic Misconduct policy against the student who has failed to get consent to submit and process another student's personal data.

To avoid any of the above scenarios, **the Lead Contact must make sure they are clear about who wants to make the group complaint and that express consent from every student has been**

**obtained.** Express consent is indicated by every student making the complaint having signed the Student Group Complaint Form.

You can find instructions about completing and submitting the Student Group Complaint Form on the front of the form. The Lead Student and all students included in submitting the complaint should read these instructions carefully before the complaint is submitted.

**I wanted to make a group complaint and I have signed the form, but things have changed and I no longer wish to be involved. What do I do?**

In this instance, you should email the Conservatoire Quality Office on [qualityoffice@cdd.ac.uk](mailto:qualityoffice@cdd.ac.uk) to indicate your wish to withdraw your consent to being involved in making the group complaint. The Conservatoire will usually still pursue the investigation of a group complaint even if one or more students withdraw their consent from being involved in making the group complaint. If you withdraw your involvement in the group complaint you may not receive a copy of the formal complaint outcome.

**I would like to complain about one of my teachers but I am worried about doing so, can I make an anonymous complaint?**

The Conservatoire will not normally consider anonymous complaints. If an anonymous complaint is submitted and it raises very serious issues, the Conservatoire would consider how it could be investigated. However, if it is unknown who made the complaint, it could be virtually impossible to fully investigate and resolve. Making a complaint could be nerve-wracking, especially if you are complaining about a member of staff or another student, but you can speak to a member of your School staff responsible for student welfare, or someone in registry as well as the members of the Quality team at the Conservatoire for advice and support.

The Conservatoire takes all complaints seriously, and any complaint made will be investigated without prejudice and will not affect how you are treated by the School, i.e. you will not be treated less favourably in your subsequent academic career, as a result of action taken to pursue an alleged complaint.

**I would like to complain about the School Principal, or something they have / have not done but I am worried about doing so, what should I do?**

If the complaint is about your School Principal (or any other senior member of School staff), they cannot be considered to be impartial and so cannot take any part in the investigation of your complaint. Another senior member of staff at the School, or someone from the Quality team of the Conservatoire for Dance and Drama will appoint a Stage 2 Investigator (the Principal of your School would normally appoint a Stage 2 Investigator). You should therefore be confident that if you do make a complaint about your School Principal or another senior member of staff at your School that your complaint will be investigated fully, fairly and with impartiality.

**I would like to complain about something that happened a while ago, can I still make a complaint?**

For your complaint to be submitted in time under the Student Complaints Procedure, you should make a complaint at the earliest opportunity and within three months of the event(s) about which you are complaining. There is a time limit on making complaints because the longer the time between the event or situation which is the cause of the complaint, and the matter being raised in a complaint, the more difficult it might be to properly investigate and resolve the complaint.

### **What if more than three months has gone by and I haven't yet made my complaint?**

If you are not able to make a complaint within three months, you can contact the Deputy Academic Registrar or the Assistant Registrar (Quality) for advice. In exceptional circumstances, the CEO of the Conservatoire might accept a complaint after the three-month deadline. If you are submitting a complaint after the three-month deadline, you will need to include the reason(s) as to why you were not able to make the complaint within the 3-month time period.

### **How long will it take for my complaint to be investigated?**

If you make an informal complaint, the issue might be able to be resolved quite quickly, depending on the nature of the issue about which you are complaining. If you make a formal Stage 2 Student Complaint, the Conservatoire aims for Stage 2 complaints to be investigated and the complainant to be informed of an outcome normally within 21 days from when the Stage 2 Investigator receives the complaint. There will be times when it will not be possible to investigate a complaint within this timeframe, for various reasons, for example the complaint might be complex with lots of evidence to consider, or reasons beyond the control of the School or Conservatoire, for example staff absence. If there are going to be delays, you will be kept informed.

### **I have made a formal Stage 2 complaint, what happens next?**

Once your Stage 2 Student Complaint has been received by the Conservatoire Assistant Registrar (Quality) via the email [qualityoffice@cdd.ac.uk](mailto:qualityoffice@cdd.ac.uk), the Complaint will be forwarded to your School Principal (if it has been received within the three month timeframe), unless your complaint is against your School Principal (see above). A Stage 2 Investigator will be appointed by your School as the person to carry out the investigation into your complaint. This person will normally be a senior member of staff in your School, nominated by your relevant School Principal, or an officer of the Conservatoire (either from the central office of the Conservatoire or another Member School). This is so that your complaint can be investigated fully without bias, or prejudice.

### **Will I be interviewed as part of my complaint investigation?**

You will not automatically be interviewed as part of the procedure - the Stage 2 Investigator will decide whether they need to interview you. They may decide that they have sufficient information to proceed with your complaint investigation without interviewing you. If they feel there is some information missing or that part of your complaint lacks clarity, they may call you to an interview.

During an interview, you might be asked specific questions relating to your complaint, or whether you have more evidence to support your complaint (for example emails, or photographs, depending on what you are complaining about). If another person is mentioned as part of your complaint, for example if you have complained about one of your tutors or another student, the Stage 2 Investigator will normally provide them with the text of your complaint, so that they can respond and perhaps provide their own evidence, and they might also be interviewed. Other people might be interviewed, as decided by the Investigator, for example your course tutor or member of registry staff might be interviewed if it is felt they may have information that is relevant to the consideration of your complaint.

The Stage 2 Investigator might decide that the complaint would be better addressed in another procedure. For example, if you complained about the behaviour of another student, it might be referred into the Non-Academic Misconduct Procedure instead. You will be informed of any such change of approach.

The Stage 2 Investigator, once they have considered all of the evidence, will send you an outcome letter. This letter will explain the investigation and the findings. Your complaint will be either upheld, partly upheld, or not upheld.

### **What happens next?**

If your complaint is upheld or partly upheld, there are a number of possible resolutions. For example, you could be issued with an apology; you might be given a clear explanation of the events or context that led to the incident in question; the procedures might be changed so that the situation does not occur again; your complaint might be referred for consideration under another procedure (for example non-academic misconduct procedures); or a combination of these or other outcomes.

Even if your complaint is not upheld, it is not unusual for a Stage 2 Investigator to still determine that there are some appropriate resolutions to put in place as a result of having investigated your complaint. Your outcome letter will indicate what the next steps are with regard to your complaint.

### **I am not happy with the outcome of my complaint, what can I do?**

If you are not satisfied with the way in which your complaint has been resolved, you can make an appeal. This is known as 'Stage 3' of the procedure.

- For BOVTS Students, Stage 3 Complaints are submitted directly to the validating university UWE. Please see the following link for information and guidance on submitting a Stage 3 complaint if you are a BOVTS student: <https://www.uwe.ac.uk/about/contact-us/complaints/submitting-a-complaint/submitting-a-stage-three-complaint>

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**The rest of this Guide below addresses Stage 3 of the Conservatoire Student Complaints Procedure only and does not apply to BOVTS students.** Queries about Stage 3 of the BOVTS Student Complaints Procedure should be addressed to the Student Casework Team Manager at the University of the West of England.

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## **Conservatoire Student Complaints Procedure Stage 3: Appeal Incorporating Conservatoire Review**

### ***Making a Stage 3 Appeal***

Disagreement with the findings and outcome of your complaint, in and of itself, does not constitute a valid ground of appeal. There are two grounds for appeal, which are:

- that there is evidence of significant procedural error in the investigation of your Stage 2 Complaint, for example the Stage 2 Investigator was biased against you, and
- that sufficient evidence remains that the complaint warrants further consideration, or that you have evidence which was not made available at the time of the Stage 2 Complaint, which can now be made available (there has to be a good reason why this evidence was not submitted with the original Stage 2 Complaint) and that sufficient evidence remains that the complaint warrants further consideration.

You can submit an appeal under either or both of the above grounds. Your appeal should clearly state which grounds you are appealing under, and your appeal statement should demonstrate the reasons you believe your appeal meets either or both of the grounds of appeal.

### **I have made a Stage 3 Appeal, what happens next?**

#### ***Review of the Stage 3 Appeal***

Once you submit a Stage 3 Appeal, the CEO of the Conservatoire (or their nominee) will review the appeal to determine whether or not your appeal may meet one or both of the grounds of appeal. It is important to understand that the Stage 3 Appeal Reviewer cannot uphold your appeal. If they are satisfied that your appeal may meet one or both of the grounds of appeal, they will appoint a Complaint Appeal Panel to consider your appeal.

If you submit a Stage 3 Appeal and the Stage 3 Reviewer is not satisfied that it may meet either of the two grounds for appeal, your Appeal will not be upheld and your complaint will be closed without further investigation. That would be the end of the Conservatoire's processes for your complaint and appeal and the Conservatoire will issue you with a Completion of Procedures Letter.

#### ***Complaint Appeal Panel***

If the appeal is found to meet one or both of the grounds for appeal, your complaint will be sent to a Complaint Appeal Panel for a review. This will involve the CEO (or their nominee) setting up a Complaint Appeal Panel.

A Complaint Appeal Panel Hearing will be held to determine firstly the outcome of your appeal, and if that is successful, what next steps should be taken. At the Hearing, the Panel will decide whether they are satisfied that there is enough evidence that casts doubt on the reliability of your Stage 2 complaint outcome, which means the Panel will work out whether they are satisfied your complaint needs further investigation or should be looked at again. If so, the Panel will make its own decision on the complaint, and whether any further action or different outcomes are needed.

The Complaint Appeal Panel will be made up of a number of people:

- i) A Chair, usually the Principal or Deputy Principal (or equivalent) of another Conservatoire School to that of the complainant, appointed by the Conservatoire CEO;
- ii) A senior member of academic staff from another Conservatoire School to that of the complainant, appointed by the Chair of the Conservatoire's Senate;
- iii) A member of staff from another Conservatoire School to that of the complainant, appointed by the Chair of the Conservatoire's Senate drawn from the panel of members trained in complaints handling;
- iv) A student representative, either from a different programme, or if this is not possible, a different Conservatoire school;
- v) There will be a Secretary to take notes and to guide on procedure.

#### ***Appeal Panel Hearings***

You will receive a Panel Hearing Invite Letter, inviting you to attend the Panel hearing. You would normally be expected to attend the Panel, as will anyone that you complained about (or a member of department staff if you have complained about a department, for example); if you are unsure about attending, you should contact the Conservatoire Deputy Academic Registrar or Academic Registrar on

[qualityoffice@cdd.ac.uk](mailto:qualityoffice@cdd.ac.uk). There will normally be a representative from your School also attending the meeting, to answer any questions that the Panel has for the School.

Both you and (if relevant) the person that you complained about can invite witnesses to give evidence to the Panel, but you must let the Chair of the Panel know the names of witnesses at least two working days before the Panel. You will be given all the information you need about inviting witnesses in your Panel Hearing Invite Letter. It is your responsibility to make sure that you invite your witnesses and that you give them all of the documentation ahead of the Panel. As far as possible, you should get your witnesses to make written statements ahead of the Panel. The Conservatoire Panel may also decide it needs to call its own witnesses.

You and your witnesses can be asked questions by the Panel Chair during the Appeal Hearing. If you have complained about someone, the Panel will also ask them and their witnesses questions during the Panel meeting. If you wish to ask question(s) of the other party or their witnesses you must ask the question through the Chair, and it is for the Panel Chair to decide whether the other person needs to answer the question(s). It is normal for witnesses not to attend the full Hearing but to be called when the Panel needs to hear from them. Depending on the complexity of the appeal, witnesses may be dismissed by the Panel before the end of the Hearing, or they may be asked to wait until the Hearing has concluded and the Panel is ready to deliberate the case.

You can bring a friend or family member with you to the Hearing for support, but they will not normally be allowed to speak. They may, however, be permitted to make a final closing statement in support of your case, if the Chair is satisfied it is appropriate to do so.

Once the Panel has concluded the hearing, they will consider the complaint in private and any proposals for resolution, if applicable. This means that only the Panel members and Panel Secretary will be permitted to remain in the room whilst the Panel considers and deliberates on the appeal. All other parties, including you, any staff representing the School, and any witnesses, will be asked to leave the Hearing to either wait for the Panel to deliberate and deliver the outcome to you in person once their deliberations have finished, or to leave the Hearing and wait for the outcome letter. In particularly complex cases or where there is a lot of evidence for the Panel to consider, it is normal for students to leave the Hearing and receive the outcome in writing via the Hearing Outcome letter.

A Hearing Outcome Letter will be sent to you, usually within 14 days of the panel meeting, and this will set out the Panel's decision and explain the reasons for reaching that decision.

**I would like to appeal against the outcome of my complaint. Do I need to do this quickly?**

You need to submit an appeal against the outcome of your Stage 2 complaint within 14 days of the date of receiving the Complaint Outcome Letter from the Stage 2 Investigator.

**Are there circumstances when my complaint will not be considered?**

The Conservatoire may not be able to investigate a complaint if it is made anonymously or if the situation that you wish to complain about happened over three months ago (see above).

The Conservatoire may stop the consideration of a complaint if it considers that the complaint is being made without foundation (frivolous) or made in bad faith (vexatious). Examples of frivolous or vexatious include the following, and these may result in the investigation of your complaint being stopped:

- i) complaints which are obsessive, harassing, or repetitive;

- ii) insistence on pursuing non-meritorious complaints and/or unrealistic outcomes ('Non-meritorious' complaints are complaints made without proof, substantiating support or without a valid basis);
- iii) insistence on pursuing what may be meritorious complaints in an unreasonable manner ('Meritorious' complaints are complaints made with proof, substantiating support and/or with a valid basis);
- iv) complaints which are designed to cause disruption or annoyance;
- v) demands for redress which lack any serious purpose or value.

### **Need more information?**

If you have any questions at all about the Student Complaints Procedure, you can either contact your School's named policy contact (see <http://www.cdd.ac.uk/policies/student-related-policies/> for your named School contact), a member of student support staff in your School, or the Conservatoire Quality Team (contact the team by emailing [qualityoffice@cdd.ac.uk](mailto:qualityoffice@cdd.ac.uk)).