

Complaints Procedure

1. Scope and Purpose

- 1.1. The Loughborough College Group has a staged complaints procedure which aims to resolve concerns swiftly and fairly.
- 1.2. The purpose of the procedure is to investigate complaints in a way that:
 - Encourages informal resolution of issues and concerns if possible
 - Is fair and equitable, and
 - Treats complaints with appropriate seriousness.
- 1.3. This procedure covers complaints relating to:
 - Any College policy, procedure or process
 - Academic and support services or facilities
 - The conduct or actions of a college member of staff or someone acting on behalf of the College Group
 - Misleading or inaccurate information regarding academic programmes, fees, services or facilities
- 1.4. This procedure is not used for:
 - Complaints about academic judgements, examination decisions, academic appeals or assessment outcomes
 - Appeals against disciplinary actions
 - Any kind of bullying as defined in the College Group's Anti-Bullying Policy
 - Whistle blowing
- 1.5. This procedure should not be used by members of staff, who should use the College's Grievance Policy and Procedures. Further details and advice on this can be obtained from Human Resources.
- 1.6. It is the responsibility of all members of staff to ensure that the procedure is adhered to within the stages and timelines.
- 1.7. References to the Group or College refer to all parts of the group.

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2. Procedure Statement

- 2.1. Loughborough College Group is committed to providing a high-quality educational experience and service to all students. We recognise that occasionally students, parents, or external stakeholders may feel dissatisfied with aspects of their experience. This procedure outlines a fair, transparent, and accessible procedure for students, parents, or members of the public to raise complaints and have them addressed in a timely and effective manner.

3. Impact Assessments

- 3.1. This procedure has undergone an impact assessment process during review to ensure that any foreseeable risks and implications have been appropriately considered.
- 3.2. Equal Opportunities: The procedure has been reviewed to uphold principles of equality and non-discrimination in accordance with equal opportunities legislation, ensuring fair treatment for all individuals.
- 3.3. Data Protection: All personal data processing activities governed by this procedure have been assessed for risk and are fully compliant with current data protection laws. Privacy-by-design has been embedded as a core approach, with safeguards implemented to protect data subjects.
- 3.4. Safeguarding, Health & Safety, and Environmental Sustainability: Relevant aspects of safeguarding, health and safety, and environmental sustainability have been impact assessed to support a secure, inclusive, and responsible working and learning environments for all.

4. Definitions

- 4.1. The College used the following definitions specific to this procedure:
- A complaint is an expression of dissatisfaction about an issue by a person/persons affected by the issue;
 - 'days' refers to Monday - Friday, excluding bank holidays and periods when the College is closed.
 - timescales specified will be adhered to wherever possible but may be extended during academic holiday periods or where a longer period is necessary to investigate matters thoroughly. On these occasions the complainant will be notified of the revised timescale.

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5. Procedure

- 5.1. Complaints should be made as soon as possible after the events or actions (or lack of actions) which have prompted the complaint. The College Group will not normally consider complaints that are made more than one calendar month after the incident or event complained about. In exceptional circumstances, a complaint may be considered outside this timeline.
- 5.2. Anonymous complaints will not normally be investigated unless the Director of Governance & Legal Services directs otherwise.
- 5.3. A complainant may be invited for a meeting as part of any investigation relating to the complaint and may be accompanied by a parent/carer, employer, or other representative. Details of any support needs will need to be declared prior to any meeting to ensure that any reasonable adjustments can be put in place to support the complainant.
- 5.4. The College Group will make reasonable adjustments, where necessary, to ensure that the complaints procedure is fair, equitable, and accessible to all.
- 5.5. Where it is inappropriate or not possible for a learner or other stakeholder to make a complaint, this may be done on their behalf by another person, who has a legitimate interest in the complaint and has the complainant's knowledge and written consent. That interest must be made clear to the College Group.
- 5.6. Records will be kept in line with the College Group's Records Management Policy.

6. Stage 1 (Informal)

- 6.1. Every attempt should be made to resolve any complaint on an informal basis in the first instance. Learners should discuss the issue with an appropriate member of staff who may be connected with the complaint. If this is not possible, it may be discussed with any of the following:
 - Progress or Academic tutor
 - Programme Area Leader/Curriculum Manager
 - Learner Services
 - Loughborough Students' Union (LSU)
- 6.2. Any potential concern by an employer or other stakeholder should be raised in the first instance with the relevant manager for the area or service concerned.
- 6.3. All members of staff dealing with any informal complaint must endeavour to resolve the issue within 15 working days. If longer time is needed, this should be communicated to

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the complainant and the agreed outcome logged on the ILP or in other relevant documents, in order that a record is maintained.

7. Stage 2 (Formal)

- 7.1. A complaint may be progressed to Stage 2 if it has not been possible to resolve the issue informally.
- 7.2. Stage 2 complaints must be made in writing to somethingtosay@loughcoll.ac.uk, identifying, where possible:
- The nature of the complaint
 - If appropriate, the individual against whom the complaint is being made
 - Any evidence supporting the case
 - An indication of the action or outcome wanted from the College Group.
- 7.3. The complaint will be logged and acknowledged within five working days.
- 7.4. The Director of Governance & Legal Services will appoint an appropriate manager or other appropriate person to investigate the complaint. The complainant will be informed of the progress of the investigation at key points throughout the process.
- 7.5. The investigator may contact or meet with the complainant to discuss the complaint (see 5.3 above) and may interview or obtain evidence from anyone involved in the issue.
- 7.6. The investigator will report their findings to the Director of Governance & Legal Services, setting out the facts and proposing an outcome. Where the investigator proposes that the complaint is upheld in full or in part, the investigator will identify solutions and recommend a course of action to resolve problems. The outcome from the investigation and proposed response will be sent to the Director of Governance & Legal Services for approval before responding to the complainant. The Director of Governance & Legal Services will determine the outcome of the complaint.
- 7.7. The response to the complaint will be communicated in writing within 15 working days of the date of acknowledgement, unless previously stated otherwise. If more time is needed to investigate the complaint, the complainant will be informed and given a revised deadline. All correspondence relating to a formal complaint at Stage Two must be logged and stored centrally. The report and investigation papers will remain confidential.
- 7.8. The response must include one of the following decisions:
- Upholding the complaint, in full or in part
 - Dismissing the complaint as unfounded

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- Determining that the complaint is minor and requires no further action.
- 7.9. The response may also include a range of other additional outcomes, including:
- An explanation
 - An admission that the issue could have been handled better/differently
 - An assurance that the issue will not recur
 - An explanation of what will be done to stop the issue happening again, including timescales
 - An undertaking to review policies/practices in the light of the complaint
 - An apology
- 7.10. Where the complaint is upheld and relates to staff conduct, the complainant will be advised that the matter will be addressed through other staffing procedures as appropriate, but that the outcome will not be shared with the complainant.
- 8. Stage 3 (Appeal)**
- 8.1. A complainant may appeal the outcome of Stage 2 within 15 days. The appeal should clearly state the reasons for the appeal, which may be that:
- There is a procedural irregularity in the conduct of the complaint investigation.
 - There is new evidence to support the complaint that can be substantiated, including extenuating circumstances, which were not known at the time, and may have affected the outcome had it been known and there is valid reason for not making it known at the time.
- 8.2. An appeal should be sent to the Deputy Chief Executive by emailing somethingtosay@loughcoll.ac.uk. A response will be issued within 15 working days where possible.
- 8.3. The Deputy Chief Executive will appoint an independent person to review the complaint, and once the investigation has been completed, a report and its findings will be forwarded to the Deputy Chief Executive for approval.
- 8.4. The Deputy Chief Executive will make a decision as to the final outcome of the appeal and recommendations (if any). This will be communicated in writing to any parties involved. This is the final stage of the College's Complaints Procedure.

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9. Conflicts of Interest and Staffing Matters

- 9.1. The Director of Governance & Legal Services will not appoint someone to investigate a complaint relating to an issue in which they have been directly involved or where there is any conflict of interest.
- 9.2. Where the complaint discloses a potential disciplinary issue against a member of staff, or where such an issue comes to light during the investigation, the Director of Governance & Legal Services will advise the Executive Director of HR, and they will ensure that both the complaint itself and the potential disciplinary matter are properly investigated, whether through the same investigation or separately.
- 9.3. Where a complaint of a non-disciplinary nature relates to the Director of Governance & Legal Services, the Deputy Chief Executive will be appointed to investigate and decisions will be taken by the Group Chief Executive Officer, with appeals to the Chair of the Audit & Risk Committee. Where a complaint of a non-disciplinary nature relates to the Group Chief Executive Officer or Deputy Chief Executive, the Director of Governance & Legal Services will investigate and take decisions, with appeals to the Chair of the Audit & Risk Committee.

10. Vexatious/Persistent Complainants

- 10.1. Complainants are entitled to expect that their genuine complaints will be dealt with thoroughly and that outcomes will be followed through and implemented. Where the College Group receives:
- A complaint from the same or linked complainant that is the same or broadly similar to a previous complaint that has been investigated and the findings implemented
 - Complaints that are obsessive, persistent, harassing or prolific
 - Complaints apparently designed to cause disruption or annoyance
 - or where the complainant:
 - Insists on pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
 - Pursues a meritorious complaint but in an abusive or wholly unreasonable manner.

the Director of Governance & Legal Services may deem the complainant to be vexatious.

- 10.2. Any complaint from a vexatious complainant will be reviewed by the Director of Governance & Legal Services for any exceptional circumstances but will not otherwise be investigated further.

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11. External Appeal

- 11.1. If a complaint remains unresolved after appeal, the College Group can provide the appropriate external contact, including awarding body or funding body details, in order for an external appeal to be made. Contact should be made to somethingtosay@loucoll.ac.uk for relevant details. Before this is done, all stages of the College Group's Complaints Procedure must have been exhausted.
- 11.2. Where the College Group's own internal complaints and appeal process has been exhausted, complaints about apprenticeship issues can be referred to Apprenticeship Support Service on 08000 150 600 or on helpdesk@manage-apprenticeships.service.gov.uk.
- 11.3. Where the complaint relates to Higher Education, and the College Group's internal complaints and appeals process has been exhausted, this may be referred to the Office of the Independent Adjudicator for Higher Education (OIA). The College Group will issue a "Completion of Procedures" letter confirming that all internal processes have been concluded, which will be required by the OIA before the complaint can be considered.
- 11.4. Complaints received by an external funding body or arbitration service e.g. Department for Education or Department for Work and Pensions, will be referred to the Group Chief Executive Officer.

12. Contact Information

- 12.1. A Learners can take advice and support from the LSU either prior to making a complaint or during the complaints process at:

Student Union Office

Loughborough Students' Union

Union Building

Ashby Road

Loughborough LE11 3TT

+44 (0)1509 635000

Union@lufbra.net

13. Location and Access

- 13.1. This document can be found here:

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- The Loughborough College Group's Website
- The Loughborough College Group's SharePoint

14. Linked Policies and Procedures

14.1. You may wish to view the following policies:

- Anti-Bullying Policy
- Academic Appeals Policy
- Whistleblowing Policy

15. Change Log

Date	Version	Details of Change	Reviewer	Reviewer Title

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