



Fairfield School of Business

info@fairfield.ac

## Student Complaints Policy and Procedures (Non-Academic)

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Category	Regulations
Approved by	Board of Governors

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### **This policy can be used to raise concerns about:**

- the quality of teaching or learning resources on higher education programmes
- the condition or accessibility of Fairfield School of Business' facilities,
- incorrect, misleading or untimely information given to you about your programme or services available from Fairfield School of Business,
- the behaviour of our staff or contractors,
- a failure by the school to provide a safe and respectful environment

### **This complaints procedure does not deal with:**

- admissions decisions - *(please refer to our Student Recruitment and Admissions Policy which has a separate complaints procedure),*
- assessment outcomes - *(please refer to the relevant Appeals Policy and Procedures for your awarding body),*
- complaints about the behaviour of other students (which are dealt with as breaches of conduct), you may however use this procedure to complain about the way we have handled such incidents.

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## 1. Complaints Policy

- 1.1. Fairfield School of Business (FSB) ensures that all students are able to raise a complaint if their expectations about the services we provide have not been met. It is our policy to investigate all complaints in good faith with the aim achieving the best possible outcome for all parties affected.
- 1.2. FSB delivers higher education programmes which lead to an award from university awarding bodies. The way in complaints are escalated may vary depending on the requirements of the awarding body for the programme that you are enrolled on.
- 1.3. Regardless of who investigates your complaint, FSB and your awarding body will ensure that all student casework is handled in line with the Office of the Independent Adjudicator's Good Practice Framework<sup>1</sup> and its core principles.
- 1.4. There are three stages of escalation for complaints:
  - **Stage One:** Informal resolution where the parties directly involved in the matter try to resolve it with each other.
  - **Stage Two:** Students may lodge a formal complaint where Stage One has not worked or is not possible. In this instance the complaint is investigated, either by FSB's Complaints Panel or by the awarding body.
  - **Stage Three:** A review of the formal complaints process may be requested under certain circumstances, such as if the complainant can demonstrate that the process was not fairly handled or that correct procedure was not followed. Stage Three is usually carried out by the awarding body.
- 1.5. Fairfield School of Business (FSB) and its awarding body partners subscribe to the OIA's independent complaints review scheme. In addition to the above internal stages, students enrolled on higher education courses may have the option for their complaint to be reviewed independently reviewed by the OIA.
- 1.6. We encourage all formal complaints to be submitted to FSB's Registry's team ([registry@fairfield.ac](mailto:registry@fairfield.ac)), who will notify them to the awarding body; if you wish to make your formal complaint to the awarding body directly, we will respect your decision to do so but this may impede our investigation into the issue.

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<sup>1</sup> [Good Practice Framework - Handling complaints and academic appeals - OIAHE](#)

## **General Principles of Policy**

- 1.7. FSB will always try to resolve complaints informally in the first instance as this is usually the most effective way of dealing with an issue. However, we understand that this is not always possible and will permit immediate escalation to Stage 2 with reasonable discretion.
- 1.8. Your complaint will be dealt with in the spirit of natural justice and with due regard for the OIA's Good Practice Principles. This means that:
  - i. Our processes should be accessible and easy to follow; FSB's Registry Team will guide you on each step of the process. Additionally, our Student Support team can help you compose a formal complaint.
  - ii. You can be represented by a member of the Student Union or a companion when you make a complaint.
  - iii. Your complaint will be handled objectively and fairly; we will ensure that complaints are investigated by neutral parties where there is no conflict of interest.
  - iv. All persons involved in a complaint will have an opportunity to present their account of the circumstances.
  - v. The information used when considering a complaint will be kept confidential as far as possible.
  - vi. The reason for the outcome of a complaint will be made clear to all parties involved.
  - vii. Those handling students' complaints will ensure there is mutual respect and discretion around sensitive matters.
  - viii. No person should be treated less favourably for having raised a genuine complaint, regardless of whether or not the complaints process determines that there is a case to answer.
  - ix. FSB will ensure there clarity on procedures that fall under more than one process and will help you to navigate the guidance and regulations.
  - x. We will seek where possible to resolve all complaints within 30 days and no more than 90 days and will keep you informed about the progress of your complaint.
  - xi. There should be no undue delay in investigating complaints or undertaking remedial actions resulting from them.

- 1.9. Where we have not upheld the above principles in dealing with your formal complaint, you will have recourse to a review of the formal complaints procedure at Stage 3.
- 1.10. To uphold these principles, the School requires both complainants and respondents to act in good faith and provide information which is true, complete and not misleading, and that full disclosures of any allegations or evidence are made.
- 1.11. Where the investigation of a complaint should give rise to a potential disciplinary issue, this will be investigated separately using the appropriate procedure.
- 1.12. Where any individual brings a legal case against Fairfield School of Business either before availing this (or the awarding body's) complaints procedures or whilst proceedings are in progress, this procedure will be suspended pending the outcome of any court action.
- 1.13. FSB will use information arising from students' complaints to reflect on the quality of the services it provides and to drive continual enhancement of its facilities and learning opportunities. This may include the modification of processes to ensure the issue does not arise again.

#### **Timeliness**

- 1.14. Complaints should be raised as soon as possible, but no later than three months after the incident prompting the complaint. Complaints received beyond three months may be considered 'out of time' if no suitable reason for the delay is given. This is because it may be difficult to properly investigate the matter so long after the event. FSB will use appropriate discretion in determining whether it can properly investigate a complaint brought after three months.
- 1.15. To ensure the timely progression of cases, the FSB Registry team will track the status of pending complaints cases until they are resolved, or internal complaints procedures have concluded.
- 1.16. FSB will make all reasonable effort to adhere to the timescales outlined in this policy, however where information required to investigate the substance of a complaint is not provided in a timely fashion, complainants should be aware that the process may not be able to progress.
- 1.17. Where information necessary to investigating the complaint is not provided by the complainant after multiple requests, the Head of Registry may, at their discretion terminate the complaints process and the matter will be deemed closed.
- 1.18. If a complaint has been linked to a particular request (e.g. a change of class) the request will not be processed until the complaint has been investigated and closed.

## **2. Procedures for Handling Complaints**

### **Informal Resolution (Stage 1)**

- 2.1. We encourage students with a grievance to try to resolve this with those directly involved if possible before making a formal complaint. FSB may assign a neutral party to mediate between the affected parties to resolve the issue.
- 2.2. If attempts at informal resolution do not work, students may submit a formal complaint. Where the Registry receives a formal complaint request without any indication that informal resolution was attempted, or compelling reasons it could not be, then this may be recommended before proceeding.
- 2.3. Where the Registry determines that the issue should be dealt with under a different procedure (such as those given on page 1) the matter may be referred on; the complainant will be informed of the reason for this.
- 2.4. In the event the complaint comes to the attention of a senior officer of the School (such as the Principal, Vice Principal or Chair of the Governing Body) before it has progressed through the appropriate stages, the matter will usually be referred back to the Registry; a senior officer will not normally intervene directly in the complaints process unless the complaint raises concerns that serious or dangerous malpractice has taken place.

### **Submitting a Formal Complaint (Stage 2)**

- 2.5. Formal complaints should be submitted to [registry@fairfield.ac](mailto:registry@fairfield.ac) using the correct complaints form, which can be downloaded from Fairfield Connect or requested from the Registry. Some awarding bodies may use a specific form, in which case a link to this form will be provided. If unsure, complainants can request the correct form from the Registry.
- 2.6. The following details should be included:
  - name and ID number,
  - a full statement of the substance and circumstances of the complaint and all persons involved (if known),
  - brief details of the steps already taken to resolve the complaint and why these were unsuccessful,
  - the desired outcome if applicable,
  - copies of any documentary evidence the student wishes to submit (original copies should not be provided and complainants should take care not to disclose any unnecessary personal information).
- 2.7. Anonymous complaints are discouraged as we cannot guarantee a satisfactory outcome for the complainant. However, any anonymous complaints received will be considered and

may be investigated where they should give rise to concerns that serious or dangerous malpractice has taken place.

- 2.8. Any number of students may collectively lodge a complaint where they have all been affected by the same issue; in such cases it would be acceptable for members of this group to represent their colleagues, or for a Student Union representative to speak for the group. The School will treat such action as one complaint for the purpose of these procedures and communicate directly with the nominated representative(s).

### **Upon receiving a formal complaint**

- 2.9. The Registry will review formal complaints and determine in the first instance whether they fall within the remit of the complaints policy.
- 2.10. If 2.9 is met, the Registry will either initiate an investigation or refer the matter to the awarding body to investigate under its own procedures; the Registry will explain the process to the complainant in its response.
- 2.11. Complainants will receive a written acknowledgment within 5 working days explaining the process and timescales involved. FSB will seek to conclude the matter within 30 working days where possible; where this is not possible, a reasonable lead time will be given.
- 2.12. A complainant may use the review stage herein if they feel a complaint has been wrongfully dismissed at this stage.

### **Where the awarding body is responsible for resolving the complaint:**

- 2.13. The awarding body will investigate the matter in accordance with its rules; FSB will comply with any requests for information and will pass on contact details for parties involved.
- 2.14. FSB will liaise with the awarding body at the conclusion of the investigation to agree appropriate remedial action. The complainant will then receive a formal notification of outcome which will include information about how to request a review of the outcome and any applicable deadline.

### **Where FSB is responsible for resolving the complaint internally:**

- 2.15. The investigation of formal complaints will be overseen by the Registrar or their nominee, or where they concern the Registry, an Associate Dean (provided they have not been involved in the informal stage, in which case the Dean of Teaching and Learning may stand in).

- 2.16. **If the issue can be resolved with a simple intervention** (for example, a procedural correction or purchase of equipment), the Head of Registry or nominee will make a recommendation for such action to the relevant managers, notifying the Vice Principal and the awarding body. Relevant managers will inform the Head of Registry or nominee of steps taken to resolve the matter and these will be reported to the complainant.
- 2.17. **If the issue is complex or involves a complaint about a staff member's conduct**, the Head of Registry, their nominee or the Dean will convene a Complaints Panel to review the issue, in accordance with the terms of reference set out in [Appendix A](#).

### **Concluding the formal process**

- 2.18. The formal process will be considered to be complete when the complainant has received a notification of the outcome of their complaint and been informed of their recourse to request a review.
- 2.19. The outcome of the formal complaints process, and the rationale for any decisions taken (whether conducted by FSB or the awarding body) will be recorded by the Registry Team, who will prepare a report on such cases and action taken for the School's Academic Board.
- 2.20. Where a complaint is upheld or partially upheld, the Head of Registry, their nominee or the Associate Dean will liaise the relevant managers to oversee the implementation of the recommended remedial action and report back to the Complainant. If the relevant managers refuse to comply with recommendations arising from the formal complaints process, the Chair can appeal to Vice Principal, who will act decisively.
- 2.21. If, during the process of investigating the complaint, a staff member is suspected of being in breach of Employee Codes of Conduct, this will be referred directly to the Human Resources department.

### **Requesting a Review of a Formal Complaint Outcome (Stage 3)**

- 2.22. A complainant may request a review of the outcome of the Formal Complaints Process in the following circumstances:
- i. that there is new evidence that could not have been, or for good reason was not, made available at the time of the investigation at the formal stage and that sufficient evidence remains that the complaint warrants further consideration,
  - ii. There is evidence the formal complaints process has not been followed correctly, or that the recommendation arising from that process have not been implemented.

*Further ii. Complainants may also challenge a decision to dismiss the complaint or refer a complaint to another procedure.*

- iii. Evidence that the outcome of the formal procedure was manifestly unfair (for example because of bias or discrimination, or evidence that a similar case was treated differently).

- 2.23. Students requesting a review of a formal complaint outcome should contact the Registry ([registry@fairfield.ac](mailto:registry@fairfield.ac)) in the first instance, who will advise them on whether the review would be conducted by FSB or the awarding body.

### **Where the review is conducted by the awarding body**

- 2.24. FSB will notify the request for review to the awarding body, who will investigate the matter in under its own procedures; FSB will comply with any requests for information and will pass on contact details for parties involved, along with a full report of how the formal stage was conducted, to the awarding body's appointed investigator.
- 2.25. FSB will liaise with the awarding body at the conclusion of the review to agree appropriate remedial action. The complainant will receive a formal notification of outcome.
- 2.26. The complainant will receive a Completion of Procedures letter from the awarding body confirming that internal procedures for reviewing the matter have been exhausted, this will include information about the OIA's independent complaints review scheme.

### **Where FSB conducts the review internally:**

- 2.27. The Registry will notify the request and all attached materials to the Vice Principal.
- 2.28. An application for review must be requested in writing (together with a copy of the original complaint, the outcome letter and any investigation report, and received by the Vice Principal within 10 working days from the date of written notification of the formal procedure outcome. The grounds for review (as given above) must be clearly stated as part of the application.
- 2.29. The Vice Principal or their nominee (who must not have been involved in any previous stage of the process) will determine whether any of the conditions in 2.22 have been met, along with any other discretionary (including compassionate) factors. If there is potentially a case to answer, the Vice Principal or their nominee will convene a Review Panel in accordance with the Terms of Reference in [Appendix B](#).

- 2.30. The Panel may choose to either uphold the outcome of the original complaints process or overturn it and instate its own decision.
- 2.31. The outcome of the Review Panel, and the rationale for any decisions it makes in relation to the original handling of the complaint will be recorded by the Registry Team, who will include details in their report to the Academic Board.
- 2.32. The outcome will be notified to the complainant within 2 working days of the review taking place.
- 2.33. The Vice Principal shall personally oversee the implementation of any new remedial actions or delegate this responsibility as appropriate.
- 2.34. The complainant will then receive a Completion of Procedures letter confirming that internal procedures for reviewing the matter have been exhausted, this will include information about the OIA's independent complaints review scheme.

### **3. Complainants' Conduct**

- 3.1. Whilst FSB understands that someone with cause to make a complaint may be experiencing anxiety because of the circumstances, they are nonetheless expected to conduct themselves in a reasonable manner.
- 3.2. Complaints which are of a frivolous or vexatious nature or make unreasonable demands of the persons dealing with casework are not acceptable. Examples of frivolous or vexatious complaint include (but are not limited to):
  - complaints which are obsessive, harassing or repetitive,
  - insistence on pursuing non-meritorious complaints and/or unrealistic or unreasonable outcomes,
  - insistence on pursuing what may be a meritorious complaint in a harassing manner *(such as requesting responses within an unreasonable timeframe; insisting on seeing or speaking to a specific member of staff; continual phone calls, emails or letters; repeatedly changing the substance of the complaint, or raising unrelated concerns)*
- 3.3. Where the student is considered to be acting unreasonably, they will be told why this unacceptable and given the opportunity to modify their behaviour. If the unreasonable behaviour continues, FSB will take the appropriate steps, including referring students to the disciplinary procedures and terminating consideration of the complaint.

- 3.4. The School has a duty of care toward the individuals who may be the subject of a allegations made through the complaints process whilst investigations are ongoing. Any breach of this confidentiality may be treated as a disciplinary matter, and may result in the termination of the complaints process

#### **4. Office of the Independent Higher Education Adjudicator (OIA) Review**

- 4.1. Higher education students who believe their complaint has not been properly or fairly handled by the FSB or the awarding body can request for an independent review to be conducted by the [OIA](#); where such requests are eligible for review, the OIA will investigate in accordance with its rules.
- 4.2. Referral to the OIA must be made within 12 months of the date of the Completion of Procedures Letter, and should be submitted using the OIA's complaints form, which can be found here: [Contact Us - OIAHE](#)

*Further information on the OIA's procedures and eligibility for review of a complaint can be found on the OIA's website; <https://www.oiahe.org.uk/>,*

#### **5. Data protection, Confidentiality, and Record Keeping**

- 5.1. All personal information received as part of a complaint will be held and processed in accordance with our [Data Protection Policy](#).
- 5.2. FSB may be required to share information it receives about complaints, both internally and with its awarding body partners to properly investigate the matter. This may include personal and sensitive information about the complainant and the circumstances surrounding a complaint.
- 5.3. FSB will treat all material and correspondence as part of a complaints case in the strictest confidence and such information will only be shared on a need-to-know basis.

## **Appendix A: Terms of Reference for the Complaints Panel**

**Where FSB is responsible for investigating formal complaints, the following terms of reference shall be used by the Complaints Panel.**

- I. The purpose of the Complaints Panel shall be to review the substance of formal complaints that require discretionary consideration or which are directed towards a member of staff. It may review any number of open formal complaints in one sitting, provided the Panel's members have not been involved in the informal stage.
- II. The Panel will have the authority to recommend remedial action to be implemented,
- III. The membership of the Panel shall consist of the Head of Registry, their nominee or an Associate Dean as the Chair. The Chair shall appoint no less than three members of the management team, excluding the Principal and the Vice Principal. No member of the panel should have been directly involved with case or any previous attempts to resolve it informally.
- IV. A member of the Registry shall act as secretary and record the rationale for the Panel's decisions.
- V. Prior to the Panel, the Chair shall ensure the following:
  - Any person(s) named in the complaint (the respondents) will be notified if the allegation against their conduct and invited to give their account(s) in writing before the Panel meets.
  - A date for the panel will be set and the complainant and respondents will be invited to attend. Both have a right under this policy to attend and the Chair must therefore accommodate, within reason, any request to change the date. Both may be accompanied by a Student Union Officer, friend or colleague but must represent themselves at the Panel (students may bring a member of the Student Union). If either or both decline to attend, the Panel will determine an outcome in their absence.
  - the Head of Registry, nominee or Dean may elect to appoint an Investigating Officer (IO) to compile a report on the issue before the Review Panel takes place. The IO must be as independent from the events of the case as possible; their report will be an impartial statement of fact and not give any recommendation to the Panel on how to judge the case.
  - The IO's report will be circulated to the Panel members no less than 24 hours before the panel is due to take place.

## Considering the Complaint

- VI. The Panel will examine the substance of complaints to ascertain whether there is a case to answer and return a decision of **upheld, partially upheld** or **not upheld**.
- VII. Where the Panel is deadlocked, the Chair shall have a casting vote.
- VIII. Additionally, the Panel may determine that it has insufficient information to make a decision, in which case it will set a deferred committee date and request outstanding information from the relevant parties. The Chair shall ensure notifications are duly sent.
- IX. The Panel may not delegate authority for making a decision to any senior officer of the School.
- X. Where complaints have been Upheld or Partly Upheld, the Panel will specify its recommendations to resolve the matter. Examples of recommendations could include, but are not limited to, a written apology from the School, or a list of actions to take as a result of the complaint.
- XI. A notification of outcome will be sent to the complainant within 2 working days, with the Vice Principal copied in.
- XII. The Chair will liaise the relevant managers to oversee the implementation of the Panel's recommendations and report back to the Complainant. If the relevant managers refuse to comply with the Panel's recommendation, the Chair can appeal to Principal, who will act decisively.
- XIII. The Registry will keep minutes of the Complaints Panel within its archives in accordance with the School's data retention schedules.

## **Appendix B: Terms of Reference for a Complaints Review Panel**

**Where FSB is responsible for conducting a review of a formal complaint outcome internally, the following terms of reference shall be used by the Review Panel.**

Note: this review procedure is specifically for considering the outcomes of the complaints process and is separate to other review procedures for considering academic appeals, academic misconduct and decisions not to grant mitigating circumstances.

- I. Upon receipt of a request for a review of a complaint outcome, the Vice Principal or their nominee shall first consider if any of the criteria defined in the Student Complaints Policy and Procedures has been met, i.e.:
  - i. that there is new evidence that could not have been, or for good reason was not, made available at the time of the investigation at the formal stage and that sufficient evidence remains that the complaint warrants further consideration;
  - ii. there is evidence the formal complaints process has not been followed correctly, and/or that the recommendation arising from that process have not been implemented;
  - iii. there is evidence that the outcome of the formal procedure was manifestly unfair (for example because of bias or discrimination, or evidence that a similar case was treated differently).
- II. If the Vice Principal or their nominee determines that the criteria is not met, they will instruct the Registry that the matter is closed and a Completion of Procedures letter will be sent to the complainant.
- III. If the Vice Principal or their nominee determines that there is a potential case to answer, then they will convene a Complaints Review Panel in accordance with the following terms to review the original outcome and make recommendations or proposals for additional actions.
- IV. The Vice Principal will nominate two senior staff members to the Review Panel, one of whom will serve as Chair, and the Student Union President. No staff member that was previously involved in the case or a person who has been personally involved in the matter shall be a member of the Review Panel.
- V. A member of the Registry shall act as secretary and record the rationale for the Panel's decisions.
- VI. Prior to the Panel, the Head of Registry will provide the minutes and rationale of the original Complaints Panel, as well as any evidence that was considered. The Complaints Review Panel will consider the reliability of the original decision, based on the evidence available to it and decide to:

- uphold the original decision
  - amend the original decision
  - disregard the original decision and substitute its own
- VII. The decision of the Review Panel, and its rationale will be presented to the Principal of FSB and notified to the awarding body immediately after the Review Panel is held.
- VIII. An Outcome Letter advising the complainant of the Panel's conclusion and any further recourse for review will be delivered to the complainant within 2 working days of the Panel being held. This will be accompanied by a Completion of Procedures letter issued by the awarding body.
- IX. The Chair will liaise the relevant managers to oversee the implementation of the panel's recommendations and report back to the Complainant. If the relevant managers refuse to comply with the Panel's recommendation, the Chair can appeal to Principal, who will act decisively.
- X. The Registry will keep minutes of the Complaints Review Panel within its archives in accordance with the School's data retention schedules.

## Document governance

Document owner*	<b>Registrar</b>
Consulted parties**	Vice Principal; Quality Manager; SU President
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\*Responsible for updates to this content.

\*\* To be consulted on updates to this content.

## Versions

Version no.	Description of Changes	Approved by	Date
1.0 - 3.0	Original version and subsequent updates	Executive Committee	Sep 2015 Sep 2016 Sep 2017
4.0 – 4.5	Revisions to general structure of document and references to other School policies added with information on when to use these; section on expected complainant conduct added.	Board of Governors	Aug 2020
5.0 - 5.2	Substantial re-write to all sections; alignment to franchise mode requirements and addition. Terms of reference in appendixes updated.	Board of Governors	Sep 22 Sep 23 Jan 2024
6.0	Substantive revision to opening sections. Editing throughout, reassignment of responsibilities.	Board of Governors	Jan 2025
6.1	Change to title to indicate non-academic complaints – new formatting	Board of Governors	Oct 2025