BRITISH COLLEGE OF BCOM OSTEOPATHIC MEDICINE

ESO European School of Osteopathy

Part of BCNO Group

BCNO Complaints Procedure for Diploma Students

Contents

1.0 Introduction

In all instances where a student is unsure as to how or where to raise their complaint they should seek advice from the International Head of Programme or the Registry Officer.

The BCNO will not consider unsubstantiated complaints that it regards as vexatious or malicious. Complaints of this nature may result in disciplinary action under the Code of Conduct for Students and Disciplinary Procedures.

A complaint by a student will not normally be investigated if a period of two months has elapsed since the alleged action, which is the basis of the complaint, occurred, although the Registry Department may exceptionally allow such a complaint to proceed.

Where complaints are received anonymously or from third parties, it will be at the discretion of Registry Department, in consultation with the International Head(s) of Programme to determine whether the complaint will be considered and, if so, how.

2.0 Underlying Principles

The Student Complaints Procedure has been established with the aim, where possible, of resolving complaints informally through negotiation between those individuals who are immediately concerned with the matter and where appropriate their immediate line management. The School recognises, however, that some issues cannot be resolved by informal means and may require the intervention of outside parties. The formal stages of the Student Complaints Procedure (Stages 2 and 3) are, therefore, available to students should informal pursuit of a complaint prove unsatisfactory.

The underlying principles of the BCNO Student Complaints Procedures, which should be respected by all those involved in the procedure, are that:

- complaints will be treated seriously, fairly, as expeditiously as possible and in a consistent fashion;
- complaints will be treated in a rigorous and fair manner with sensitivity and with minimum stress to all parties concerned;
- confidentiality will be respected throughout; submission of a complaint will not lead to recrimination or adversely affect academic progression provided it is made in good faith and not maliciously or vexatiously;
- there is a right for any decision to be subject to further reference to Ofqual or the OIA when all internal and Crossfield Institute (when appropriate) stages have been exhausted;
- the use of the Student Complaints Procedure does not affect a student's right to pursue legal remedies outside the BCNO

3.0 Complaints Procedure

The Complaints Procedure contains the following stages:

1. **Stage 1**: Informal discussion of the complaint with the individual(s) directly involved
2. **Stage 2**: Formal investigation by the Programme Lead
3. **Stage 3**: Review by the Student Complaints Review Panel

At any point prior to the completion of Stage 3 review, a request for mediation made by a complainant can be instigated. Mediation will only occur with the agreement of all parties involved, and the formal complaints procedure will be suspended while mediation takes place.

3.1 Stage 1: Informal Discussions

BCNO expects students to seek to resolve their complaint informally at Stage 1 prior to making a formal complaint and that most complaints should be satisfactorily resolved at that level. Therefore, in the first instance the complainant should normally seek to discuss their complaint with the person to whom the complaint relates or who is responsible for the matter that gives rise to the complaint.

In order to ensure that the complaint is raised at a mutually convenient time the complainant should try to arrange an appointment with the member of staff concerned. The complainant should make clear, when arranging the appointment, the matter that they wish to discuss and the nature of the complaint that they wish to raise. The member of staff may request the presence of a colleague and the complainant themselves may also be accompanied by a fellow student or their Student Year Representative.

It may be possible for the circumstances of the complaint to be fully addressed and resolved through a meeting between the parties concerned, or further enquiries may be required. In either circumstance the staff member should keep a written record of the meeting and/or of any further enquiries and an oral response will be provided to the student within ten working days of the complaint being raised, except where good reason can be demonstrated for requiring a longer period.

The student will be informed if their complaint is upheld and if any remedy is proposed or, if the complaint is not upheld, the student will also be informed of their right to proceed to Stage 2 of the Procedure. A record of the circumstances of the complaint will be retained by the Registry. This record will indicate either any corrective or compensatory action to be taken as a form of redress or the reason for the decision to reject the complaint. This record will be destroyed when the student graduates or otherwise ceases to be a student of the BCNO.

3.2 Stage 2: Formal Investigation of Written Complaints

At Stage 2 the intention of this procedure is to allow for the complaint to be resolved to the satisfaction of all parties through the intervention of the Head of Department and formal investigation.

A complaint will proceed to Stage 2 where a student is not satisfied with the outcome of Stage 1, or where a student can provide good reason why Stage 1 cannot be conducted. In such circumstances, the student will raise the complaint in writing with the Programme Leader using the Formal Complaint Form (see appendix 1) and must include:

- name of complainant(s)
- a contact address (and preferably telephone and/or mobile number and email address)
- programme/year group
- the date(s) on which the problem arose
- whether anyone else was affected, or saw what happened
- any relevant documentary evidence
- the response requested from the BCNO.

The statement should also describe the steps they have taken to resolve the complaint informally or their reasons for not doing so.

The Formal Complaints Form must be submitted to the Registry Department .

On receipt of the written complaint Registry will determine whether it is appropriate for the complaint to be considered under the Student Complaints Procedure and whether the nature of the complaint warrants its consideration under other procedures. Registry Officer will inform the student of their decision within ten working days of receipt of the complaint.

Where the Registry Officer finds that the complaint is appropriate for processing at Stage 2 of this procedure, they will request a senior member of staff to investigate the complaint.

The person investigating must have had no prior direct involvement in the matter.

As part of the investigative process, the senior member of staff may need to conduct a meeting with the complainant, in which case a note of the meeting will be taken, and the student will have the right to representation.

Following investigation of the complaint the senior member of staff will provide a written response to the Registry Officer.

The Registry Officer will respond to the student, and that response will be copied to the appropriate member(s) of staff concerned or responsible for the matter giving rise to the complaint. This response will normally be provided within twenty working days of the

complaint being lodged with Registry except where good reason can be demonstrated for requiring a longer period, in which case the student will be notified of the delay and of an expected response date.

The response will indicate if the complaint is well founded or partially founded. If the complaint is either of these, the Student will be offered an apology, and the School will explain what measures they will be putting in place to ensure that the situation is not repeated. If the complaint is deemed not to be well founded a full explanation will be given. It will also notify the Student of their right to proceed to Stage 3 of this procedure, where the complaint has not been upheld.

Where a complaint is deemed unfounded, the complainant will be so notified.

The Registry Officer will forward copies of the complaint and response including details of any corrective or compensatory action to the International Head(s) of Programme .

3.3 Stage 3: Review by the Student Complaints Review Panel

Students will be entitled to seek a review by the Student Complaints Review Panel of the decision concerning their complaint, only where:

- There is evidence that Stage 2 investigation did not include in its deliberations all relevant issues, and any relevant issues identified as not included at Stage 2 are material to the decision and do not constitute a new basis for complaint;
- There is evidence that the Stage 2 investigation was not carried out in accordance with BCNO policies or was otherwise flawed.

The Panel will make findings of fact and determine whether on the balance of probabilities that evidence amounts to the student's original complaint being upheld or not. This will require the re-testing of the evidence in the case.

Where the student's original complaint is upheld, then the Panel will order remedies it deems reasonable and appropriate. Where this involves a staff member, in addition to remedies for the student, it will have recourse to refer the case via the relevant policies.

Stage 3 will be initiated by submitting a copy of the Formal Complaint Form to the Registry, normally within ten working days of having received the outcome of the investigation of the complaint at Stage 2 of this procedure.

The Formal Complaint Form will be accompanied by notes giving details of what action has been taken to resolve the complaint at previous stages and why the student remains dissatisfied. Registry will record and acknowledge the request for a review by the Student Complaints Review Panel, normally within ten working days of receipt, and will inform the Principal of the complaint.

The Principal will nominate a Chair to convene a meeting of the Student Complaints Review Panel.

4.0 Conduct of Proceedings

4.1 The Panel

The Panel will comprise three senior members of staff and/or senior faculty not involved in prior stages of this procedure, one of whom will be nominated by the Principal to act as Chair. A Clerk to the Panel will be nominated by Registry.

4.2 Representation

All students and staff members who are required to attend the meeting of the Student Complaints Review Panel will have the right to be accompanied by another individual as specified in this policy.

4.3 Documentation

The documentation submitted to the Student Complaint Review Panel will normally consist of:

- the Formal Complaint Form submitted by the complainant;
- details of witnesses to be called by the complainant, the officer responsible for the investigation of the complaint at Stage 3 and the staff member concerned (where the case involves a complaint against a staff member) together with a brief statement giving the purpose of the attendance of the witnesses;
- any other background documentation.

At the conclusion of the Hearing, the Panel will meet in private in order to make its decision. The decision will be notified in writing to all concerned by the Registry Officer, normally within five working days.

The decision of the Student Complaints Review Panel will be final and will bring the BCNO's investigation of student complaints to a close, and the complainant will receive a letter of completion along with the Panel's response. The next stages available to the student depend upon the student's validating body as set out below.

5.0 Crossfield Registered Students

If a student registered with Crossfields remains dissatisfied with the School's response, they have the right to refer the decision to Crossfields Institute.

- For results related issues, students should refer to Crossfields Institute's policies at: https://crossfieldsinstitute.com/awarding/#quality
- For all other academic appeals, students should refer to the Crossfields Institute's Appeals Policy and Procedure located at: https://crossfieldsinstitute.com/awarding/#quality

Where students still remain dissatisfied may then take their complaint to Office of the Qualifications and Examinations Regulator (Ofqual).

6.0 BCNO only registered Students

Once you have completed the BCNO's internal procedures, if you remain dissatisfied with the outcome you may refer your complaint to the Office of the Independent Adjudicator (OIA). This must be done within 12 months of the date of the Completion of Procedures letter you will receive once you have completed BCNO's internal procedures.

Further information is available via the https://www.oiahe.org.uk

7.0 Appendix 1: Formal Complaints Form

Please contact us for assistance if you wish to receive this form in a different format. We suggest you read the guidance before you complete this form.

First Name(s)		**Title**
Family Name		
University/Id Number		
Year/ Academic Stage		
Address for Correspondence (including postcode)		
Daytime Phone Number		
Email Address		
Your Complaint Please set out the key points of your complaints.	Your complaint must be summarised here, even if you attach other documents.	
Who did you approach to resolve your complaints informally? What actions, if any, was taken to remedy your complaint?	**Name** **Action Taken** **Approximate Date**	
What prevented the complaint being resolved informally?		
Who else have you discussed this complaint with?		
How do you propose that you complaints could be resolved to your satisfaction?		

Declaration: I declare that the information given in this Formal Complaints Forms is a true state of the facts, and that I would be willing if required, to answer further questions related to it. I also agree (in accordance with the Data Protection Act) to this form being held on file by Registry.	**Signature** **Date**
Please return the form to Registry via email to: eso.registry@bcnogroup.ac.uk	

Auditing

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1.1	October 2024	Rebranding, updating of ESO Kent campus address, external links.	Quality Manager	

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