

Complaints Policy

1. Context

This policy sets out the approach Walbrook takes to managing a complaint from a student or apprentice. A complaint is where you are dissatisfied with an aspect of your experience while studying with Walbrook.

Examples of circumstances that may lead to a complaint include, but are not limited to:

- Walbrook not meeting its obligations set out in the programme handbook or in policies that support the learning and student experience;
- a concern about the delivery of the programme, supporting services, or facilities and online platforms; or
- considering that you have been given misleading or incorrect information in promotional material published by Walbrook.

The following policies should be used in other circumstances:

- the Appeals Policy: if you wish to appeal a decision made by a formal board or panel considering your individual circumstances;
- the Workplace Issues Complaints Policy: if your concern relates to an apprenticeship, placement or internship workplace, or to your employer or host organisation;
- the Harassment and Sexual Misconduct Policy: if you have experienced these behaviours; or
- the Student Misconduct and Disciplinary Policy: for all other misconduct behaviours.

Walbrook will provide guidance if you are unsure which policy to use, or if another policy would be more appropriate to investigate the issues you wish to raise.

Any HE student registered with Walbrook, including an apprentice, can make a complaint under this policy. A complaint can also be made by a student who has recently left Walbrook, normally within three months of leaving. This policy does not cover complaints or concerns relating to an apprenticeship, placement or internship workplace, or to an employer or host organisation, which are covered by the Workplace Issues Complaints Policy.

2. Principles

This policy is based on the following principles:

- each complaint will be managed fairly, consistently and transparently, and in accordance with Walbrook's Equality and Diversity Policy;
- timescales for submitting and processing a complaint will be made clear, and Walbrook will update you about any delay and the reason for it;
- a flexible and logical approach will be taken to any crossover between a complaint and an appeal;
- Walbrook will ensure that any reasonable adjustments required by you are accommodated in the complaints process;
- frivolous or vexatious complaints will not be accepted, and Walbrook will take action under the Student Misconduct and Disciplinary Policy if these occur;

- you will have recourse to the Office of the Independent Adjudicator (OIA) if you are dissatisfied with the way Walbrook has managed a complaint, and, if you are an apprentice, to the Education and Skills Funding Agency (ESFA), as set out under External referral below;
- these principles apply to higher education provision delivered solely by Walbrook or through collaborative provision; and
- all students and staff engaging in a complaint are expected to act with courtesy and respect towards each other; the process may be temporarily halted if unreasonable behaviour occurs, and disciplinary policies will be used where behaviour does not comply with Walbrook's expectations.

3. Student support

This policy is designed to be as clear as possible in explaining how complaints are managed. Further support and guidance is available from Student Support, and advice is available from Registry for staff involved in the process.

4. Crossover of a complaint and an appeal

Issues raised in a complaint may cross over with matters that would more usually be considered as an appeal. Walbrook takes an individual approach to these situations to identify the most efficient and appropriate way to manage a case, in line with relevant policies. This may mean that all issues are dealt with as one case, or that they are separated and considered under separate policies. Walbrook takes a similarly flexible approach if you submit a complaint while a separate case, for example an appeal, is already underway, and will always inform you of the approach it plans to take to case management where a crossover of concerns occurs.

5. Group complaints

Students may submit a group complaint where several of them are affected by the same issue. Walbrook will either correspond with each group member separately or may require the group to nominate a representative. Before joining a group complaint, a student should ensure they are seeking the same outcome as the rest of the group; if seeking, or potentially seeking, a different outcome, they should submit an individual complaint.

6. Anonymous complaints

You can make an anonymous complaint. However, Walbrook is unlikely to be able to investigate the issues raised, as a full investigation without speaking to you is not usually possible. You will not be disadvantaged by Walbrook for raising a complaint, other than if it is submitted vexatiously, maliciously or on knowingly false grounds, in which case disciplinary action may be taken. Walbrook strongly encourages you to talk to a member of staff if, despite this assurance, you have a complaint you do not feel able to raise other than anonymously.

7. Raising a complaint

A complaint should be made as soon as possible after the incident or issue occurs, ideally within 14 calendar days. Complaints raised beyond three months will normally only be accepted in exceptional circumstances.

Walbrook aims to resolve complaints informally wherever possible, allowing you to raise a concern verbally or by email with the appropriate team to find a resolution; this may involve some investigation before the matter can be concluded. Walbrook aims to resolve all informal complaints within 14 calendar days.

Informal resolution will not always be the most appropriate route. This includes where the impact on you is major, for example repeated poor experiences or a one-off experience with significant negative impact (the Student Support Team can advise if you are uncertain whether to follow the informal or formal route), or where informal resolution has already been used but did not produce a satisfactory outcome. In either case, you should submit a formal complaint.

8. Consideration of formal complaints

A formal complaint should be submitted by completing the Complaint form, only after you have first tried to resolve the matter informally with the relevant team. The form asks you to describe the nature of the complaint, provide any supporting evidence, and state the outcome you would like to see.

Walbrook would normally expect you to submit a complaint directly, and will only accept one made on your behalf, for example by a family member, in exceptional circumstances such as significant poor health, and with your written permission. In those circumstances, Walbrook will copy all correspondence to you unless you ask otherwise, expect you to engage in the process (including meeting with Walbrook as needed), and consider whether an extension to the processing timescale is needed, normally only where there is evidence that you are receiving support for your circumstances.

Walbrook would not normally expect you to engage a legal representative, and legal representation at a complaint hearing would only be appropriate in very exceptional circumstances, since it has the potential to change the nature of the procedure or delay the process. Where you request to use a legal representative, Walbrook will carefully consider whether this is reasonable in the circumstances of the case.

9. Process for considering a formal complaint

A complaint will be reviewed by the Designated Complaints Officer, and Walbrook will normally notify you within seven calendar days of receipt whether the complaint is rejected, because it does not have any substance (you can ask for a review of a rejection decision), or will move to the next stage.

Where the complaint moves to the next stage, the Designated Complaints Officer will investigate, which may involve corresponding with you, talking with relevant staff, meeting other relevant people such as witnesses, and reviewing other relevant information. The findings are collated in a case file proportionate to the issues raised, which is then considered by the Complaints and Appeals Panel (CAP).

The Complaints and Appeals Panel is composed of:

- the Provost (Chair) or their nominee;
- a nominee of the Regulatory Compliance Working Group;
- two nominees of the Academic Board; and
- the Designated Complaints and Appeals Officer.

Panel members will have relevant experience and/or training provided by Walbrook, so that they are clear about their remit and the basis on which decisions can be made.

You will be invited to meet with CAP, with at least five days' notice of the meeting date; where there is good reason you cannot attend the proposed date, for example a teaching session, Walbrook will be reasonable in rescheduling. The hearing will go ahead in your absence if you decide not to attend. You may be accompanied for moral support by another student or a friend, but not by anyone who has contributed to the investigation.

The Panel will review the investigation report and agree how to manage the meeting; meet with you, if you attend, to ask questions arising from the report and hear your response; meet with witnesses where relevant; and determine the outcome by a majority of its members. It is not the Panel's role to undertake further investigation, but to seek clarification on points arising from the report.

The Panel will decide that your complaint is upheld or partially upheld, sharing the reasons why; that it is rejected, sharing the reasons why; or, very exceptionally, that further information is required, in which case you will be told what is needed, why, and the revised timescale for a decision. You will receive the Panel's decision by email, with reasons, within 14 calendar days of the meeting. Where a complaint is upheld, you will be informed of the action Walbrook will take to resolve the issue; appropriate action will also be taken, where possible, if the issues raised may have affected other students.

10. Review of a complaint decision

You have the right to request a review of a decision that has not upheld your complaint, within 14 calendar days of the written outcome. A review request must meet one or both of the following criteria: there is new evidence that, for good reason, could not have been provided when your complaint was originally considered; there is a significant procedural error in how your complaint was considered; or the action taken or solution provided was unreasonable in light of the findings. No other reasons will be accepted, including general disappointment with the decision.

The review request will be considered by the Academic Board review panel, chaired by an individual with no direct involvement in the complaint; neither you nor your representative may be present at this hearing. The review panel will either uphold the original decision, if the request does not meet the criteria above, or refer the complaint back to the point in the process at which the alleged error occurred or the new evidence needs to be considered; exceptionally, for example where bias is identified, the reviewer may also recommend that a different individual or panel is appointed. This review process will be completed within 25 calendar days, and you will be notified of the outcome, together with information about the OIA. This marks the end of Walbrook's direct management of your complaint.

11. External referral

If you are dissatisfied with a decision Walbrook has made on the outcome of your complaint or review request, you may contact the Office of the Independent Adjudicator for Higher Education (OIA), the body responsible for considering your complaint once Walbrook's internal procedures have been exhausted. The OIA has specific criteria against which a complaint can be made; more information is published at www.oiahe.org.uk.

As the regulator for apprenticeships, apprentices may also, or instead, escalate a complaint to the Department for Education (DfE), via the Apprenticeship Service Support helpline or by emailing helpdesk@manage-apprenticeships.service.gov.uk. Where an apprentice is unsure whether to escalate to the OIA or the DfE, they should contact the Head of Apprenticeships.

12. Reporting and review

The number and nature of formal complaints will be recorded and reported annually to the Learning, Teaching and Quality Committee. This report will consider immediate actions taken to improve the student and apprentice experience, and whether further action is required.

13. Document Governance

Version:	1.2
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