

CHICKENSHED

THEATRE CHANGING LIVES

Student Complaints Procedure – Revised May-June 2025

1 Scope of the Complaints Procedure

- 1.1 Chickenshed describes a complaint as an expression of dissatisfaction with any service or lack of service provided by the organisation. Chickenshed believes it is important that its students feel able to express dissatisfaction to which a response should reasonably be expected. Through the Complaints Procedure, Chickenshed seeks to provide an accessible, fair and straightforward system which enables students to raise concerns and which ensures an effective, timely and appropriate response. The Complaints Procedure is not restricted to students of Chickenshed: it may also be initiated by potential students or members of the public. However, a complaint may not be lodged by a third party on behalf of the complainant. The complaints procedure is an internal Chickenshed process.
- 1.2 Students are advised to consider whether there are more suitable ways for them to express the concerns that they have before submitting a complaint. For example this may be done through student feedback at meetings with personal tutors/mentors or support, through submission to Executive Director of Education, Training and Outreach, through other feedback mechanisms such as questionnaires, or students can discuss their concerns informally with the relevant person in the Tutor Team/Support/Mentor Team.
- 1.3 The Complaints Procedure does not cover the following categories of complaint, for which separate procedures exist:
- appeals against the decisions of Assessment Boards (these are dealt with in consultation with Middlesex University)
 - appeals against decisions taken under disciplinary proceedings (see Disciplinary Policy);
 - complaints about businesses operating on Chickenshed premises, but not owned by Chickenshed (contact Theatre Manager);

2 Procedure

2.1 There are three internal stages in the Complaints

Procedure: STAGE 1: Conciliation
STAGE 2: Formal complaint
STAGE 3: Appeal to the Executive Board

3 Stage 1: Conciliation

- 3.1 Complainants are strongly advised to make every reasonable effort to resolve their complaint informally through meeting with the member of our staff most directly concerned with the matter before proceeding to Stage 2 and submitting a formal complaint. Complaints at Stage 1 should not, however, be raised with the relevant manager who may investigate the complaint should it proceed to Stage 2 of the Complaints Procedure, advise on who to speak to should be sought from the IAG Coordinator. Normally, complaints concerning the structure or organisation of a programme will most appropriately be dealt with by the relevant Programme Manager or Tutor Team. In these cases, the complainant should raise the complaint with the tutor and/or relevant staff member for the project/subject area which the complaint relates to. In exceptional cases – and at any point in the process – where students, due to need, are unable to operate the complaints process themselves, they may request that a third party support them. The representative should ideally have some knowledge of Chickenshed processes and could be a member of the Student Body e.g. from another year group. Chickenshed Information, Advice and Guidance staff can help with advice and communication support in these exceptional cases.
- 3.2 Where it is not clear to the complainant which member of our Chickenshed staff is directly concerned, the complainant will be advised by the IAG Coordinator. Chickenshed acknowledges that other methods, including telephone, may be more suitable when attempting to resolve the complaint at Stage 1 than a meeting.
- 3.3 At Stage 1 the complaint should be raised as soon as possible and normally no more than 10 working days after the matter giving rise to the complaint. The member of staff approached should try to resolve the complaint through meeting with the complainant within 10 working days of receipt of the complaint.
Chickenshed recognises that the majority of complaints will be resolved satisfactorily at this stage. However, where the procedure outlined above does not produce a satisfactory resolution of the matter giving rise to the concern, the complaint may be formalised and dealt with as in section four below.
- 3.4 While every reasonable effort should be made to resolve complaints at Stage 1, the complainant has the right to proceed to Stage 2 at any time provided that it is within 1 calendar month of the matter giving rise to dissatisfaction.

4 Stage 2: Formal complaint

- 4.1 If a complainant is dissatisfied with the outcome of Stage 1 or wishes to proceed direct to Stage 2, he/she shall make a written complaint and can receive support when doing so.
- 4.2 By proceeding direct to Stage 2 the complainant should be aware of the lost opportunity to resolve the matter by informal means. Any complainant who has not attempted to resolve their complaint through conciliation (Stage 1) will be asked to explain why they have not completed Stage 1 of the Complaints Procedure.
- 4.3 The written complaint should be completed and signed by the student before being lodged with Information, Advice and Guidance within 10 working days of the unsatisfactory outcome of Stage 1 or within two calendar months of the complainant becoming aware of the matter with which he/she is dissatisfied. An extension of these time limits will only be possible in exceptional circumstances, such as illness, an apparent risk of victimisation, personal embarrassment or other hindrance beyond the student's control. In such a case, the formal complaint should be made as soon as possible thereafter, without undue delay, and the complainant will be asked to explain in writing the reason for the complaint being lodged outside of the time limits.
- 4.4 The written complaint will be acknowledged within 5 working days of being lodged with Information, Advice and Guidance Liaison Officer.
- 4.5 Investigation of complaint
 - 4.5.1 Following receipt of the written complaint, the IAG Liaison Officer will inform the student, in writing, when the investigation into the complaint has begun by writing to them summarising their main complaint points and informing them who is investigating their complaint. A written response to the complaint, responding to all points and making clear the grounds on which a decision or settlement has been reached will normally be sent to the complainant within.

15 working days of the investigation beginning. During periods outside of the academic calendar this timescale may be slightly longer.

- 4.5.2 If the issues raised in the written complaint are considered to be more appropriately investigated through the Appeals Procedure then the IAG Liaison Officer will pass the complaint to the relevant subject or year tutor. The complaint will cease to be handled as a complaint at this point and will instead be processed as an appeal. If a student has submitted both an appeal and a complaint then the appeal will usually be dealt with prior to the complaint. The complaint will be placed on hold until the investigation into the appeal has been completed.
- 4.5.3 When the investigation into the complaint has begun the IAG Liaison Officer will forward a copy of the written complaint, and any accompanying documentation, to the responsible manager asking them to provide the complainant with a response to specific points raised in the complaint within

15 working days.

4.5.4 The responsible manager is outlined below:

- (a) Executive Director of Education, Outreach and Training, if the complaint is about an academic matter, or relates to a matter arising in the context of a placement/practice placement;
- (b) Education Manager, or specifically named person, if the complaint is about a non-academic matter.
- (c) If the person cited above is him/herself personally involved in the matter of the complaint, the complaint will be normally be dealt with by another senior member of staff who is a manager.

4.5.5 The manager responsible for dealing with the complaint will be asked to:

- (a) make such investigations as he/she deems appropriate;
- (b) ask any person being the subject of a complaint for a written statement on the alleged failure/deficiency;
- (c) where the complaint relates to a project placement/practice placement, ensure that consultation takes place with appropriate project placement staff before concluding any investigation. Those providing the placement will be asked to nominate a member of staff to act as liaison in respect of the complaint;
- (d) provide the IAG Liaison Officer with copies of any documentation referred to during the investigation;
- (e) keep the IAG Liaison Officer, and all other people involved, informed on the progress of the investigation, in particular when and why the time limit cannot be adhered to.

4.5.6 If the complaint concerns staffing and/or harassment matters, the investigating manager should consult with The Executive Director of Education, Training and Outreach and HR Services regarding the appropriate procedure to adopt before conducting an investigation. If the complaint, or any documentation submitted with the written complaint, refer to a named member(s) of staff that member of staff will be entitled to see the complaint and any other information relating to them. If the complaint relates to a member of staff in a placement position, the investigating manager should consult the manager responsible for the placement regarding the appropriate procedure to adopt in this case.

4.5.7 If the manager carrying out the investigation considers that there is a *prima facie* case to proceed under the staff disciplinary procedure, the case will cease to be handled through the complaints procedure. Where harassment is

involved, special provisions apply at each stage of the disciplinary procedure (the anti-harassment procedure refers). Where the member of staff is located in a placement the case will be handled through the arrangements of that provision. The complainant and the IAG Liaison Officer will be notified of this decision; the complainant will not be disadvantaged by this decision.

4.5.8 In concluding their investigation, the responsible manager may make one of the following decisions:

- (a) to dismiss the complaint;
- (b) to suggest an amicable settlement to the complainant and member of staff, if appropriate. Where the complaint relates to a placement, the proposed settlement should also be communicated to the nominated liaison. If this is not mutually accepted within five working days, then the manager shall make a decision under (a) or (c) of this section. If the settlement is accepted, the procedure terminates at this stage;
- (c) to find the complaint justified and make an offer of redress to the complainant, e.g. an apology and/or appropriate recommendations to Chickenshed or placement/project team.

4.5.9 The investigating manager shall, within 15 working days of receipt of the written complaint, make a written statement responding to all complaint points making clear the grounds on which a decision or settlement has been reached. The statement shall be sent to the complainant and copied to the IAG Liaison Officer. The written statement produced as per paragraph 4.5.3 will also be copied to the Complaints Liaison Officer, for the record.

5 Stage 3 – Appeal to the Chickenshed Executive Board

5.1 Following receipt of the response, if the complainant is still not satisfied with the response, he/she should give written notice to the IAG Liaison Officer within 10 working days, explaining why he/she is not satisfied with the outcome. If the matter has been investigated under other Chickenshed procedures, as provided for above, the complainant can equally request a review of this decision. In each case, the complainant should indicate the matters which he/she considers to be outstanding.

5.2 If a review is requested by the complainant the complaint file will be forwarded to the Administrator to the Executive Board by the IAG Liaison Officer. Within 10 working days of receipt of the request for review, the relevant manager will decide whether there is a *prima facie* case to refer the matter to the Executive Board provided that:

- (a) there is, at the time, still a complaint which comes under the scope of this procedure;

- (b) the student's desired outcome to the complaint is achievable;
- (c) the complaint was lodged within the set time limit.

If a member of the Executive Board is the subject of the complaint then they will not participate in the Review Process.

- 5.3 If there is no *prima facie* case for proceeding to an Executive review panel the complainant shall receive a written statement explaining the reasons for this.
- 5.4 If there is a *prima facie* case for proceeding, the Executive Board may consider the possibility of a mediatory meeting with the parties involved at Stage 1 of the procedure. If the meeting is successful, the complainant and other party will be informed of the outcome in writing within 10 working days. When an attempt to achieve a resolution through mediation is unsuccessful or would appear to be inappropriate, the IAG Liaison Officer will be advised to convene a Complaints Review Panel, liaising with Human Resources (HR).
- 5.5 The IAG Liaison Officer shall normally convene a Complaints Review Panel within 30 working days of the notification, to consider and adjudicate on the complaint.
- 5.6 The Complaints Review Panel shall normally consist of the following members:
 - (a) a Chair, who shall be a member of the Chickenshed's Executive Board;
 - (b) two members of Chickenshed's Management Board;
 - (c) a representative from Human Resources.
- 5.7 Where possible, Chickenshed shall seek to ensure that the composition of the panel reflects the character of our institution and/or at least one person has been trained in equality and diversity issues.
- 5.8 The IAG Liaison Officer shall make available to the Complaints Review Panel the written complaint, previous correspondence relating to the complaint and any other relevant documentation.
- 5.9 The outcome and the reasons for the decision of the Complaints Review Panel will be communicated to the complainant within 10 working days of the hearing. The Complaints Review Panel will, at the same time, send a report summarising the complaint, the action taken to resolve it, and the Panel's conclusions and recommendations to the Executive Board and the relevant Managers. The decision of the Review Panel will be binding.
- 5.10 The procedure of the Complaints Review Panel hearing shall be as specified in paragraph 6 below.
- 5.11 As far as is practicable, confidentiality shall be preserved in the investigation of the complaint. However, information provided by the complainant may be used when a complaint is investigated.

6 Procedural Rules for the Complaints Review Panel

- 6.1 The Complaints Review Panel is the ultimate internal point of appeal for student complaints. The hearing shall take place in private at Chickenshed, on a date fixed by the Chair, in consultation with members of the Panel. Where there is a clear justification for doing so e.g. where travel costs are prohibitive of the student's mode of attendance makes attendance in person difficult, a request to conduct the Panel via video link can be considered. The Chair of the panel will have final say on whether the panel can be convened via video link. For any panel via video-link the Chair and internal panel members would be location at Chickenshed. Guidance regarding conducting a panel via video link will be shared with all parties prior to the panel by the IAG Liaison Officer.
- 6.2 The complainant may be accompanied at the hearing by one friend (who may be an Information Service Representative but not a paid legal representative).
- 6.3 After the date of the hearing has been fixed the IAG Liaison Officer shall, at ten working days before the hearing, write to the complainant(s) and those others attending:
- (a) notifying the date of the hearing;
 - (b) requesting six copies of any written submissions from the complainant and/or respondent, to be submitted at least six working days before the hearing date;
 - (c) requesting the complainant(s) to provide the name(s) of any other friend(s) who will accompany them at the hearing and the name(s) of any witness(es) they would like to call (It is the responsibility of the complainant(s) to notify such friend(s) or witness(es) of the hearing.);
 - (d) requesting the complainant(s) to provide details of any reasonable adjustments that may need to be made for the hearing in order to accommodate the complainant if they have a declared disability giving details of any form of support needed.
- 6.4 At all times following the lodging of a complaint under the formal complaints procedure, a member of Chickenshed staff who is concerned or named in the complaint or whose conduct is by implication called into question by the complaint has the right to be represented by a friend, who shall normally be another member of Chickenshed staff. Such a friend may be a trade union representative but not a paid legal representative. In addition to the complainant and respondent, the parties involved shall include the placement liaison in respect of a placement/practice placement provider, and a member of the senior Education staff.
- 6.5 The IAG Liaison Officer will circulate all the information received to the Panel and to the parties involved at least five working days before the date of the hearing. Additional information received will usually be sent out to all parties

by post. The complainant and School / Service will also be notified by other means (email or telephone) that additional evidence has been sent out. Please note that Chickenshed will not accept any responsibility for documentation arriving late as a result of postal delays.

- 6.6 Written information not received in advance shall not be considered by the Panel unless the Panel decides, in exceptional circumstances, to receive such evidence. If the Panel decides to receive such evidence the report of the hearing will detail the Panel's reasons for choosing to accept the information.
- 6.7 If the complainant does not appear at the date and time scheduled for the hearing, the Complaints Review Panel shall consider whether any reasons given, in advance, for non-attendance are valid, and:
 - (a) if members so judge, adjourn proceedings to a later meeting;
 - (b) if no reasons are given in advance, or if they are judged invalid, proceed in the complainant's absence.
- 6.8 The Panel will decide whether or not any particular witness should be called.
- 6.9 The IAG Liaison Officer shall be responsible for servicing the hearing, and for producing the report on behalf of the Panel.
- 6.10 The Chair has the power to regulate the procedure of the hearing within the spirit of these rules, having regard to the need to maintain informality and reasonable despatch of the proceedings.
- 6.11 Time limits may be departed from only at the discretion of the Chair. If a complaint lapses as a result of failure to keep to a time limit, the complaint cannot be recommenced. Time is calculated on working days throughout the year.
- 6.12 In exceptional circumstances the Panel may consider documents or hear evidence in the absence of the parties.
- 6.13 The Panel shall endeavour to present to the Executive a unanimous report of the facts found and the recommendations made on the basis of those facts. If the report is not unanimous, the minority shall be entitled to record their views and submit them to the Executive.

7 Independent Review

- 7.1 If the complainant has exhausted the internal procedures at Stage 3 and is not satisfied with the outcome he/she may request that the case is reviewed by a body independent of Chickenshed eg a mediation service.

- 7.2 The grounds, eligibility for review and outcomes shall be determined by the mediation service.
- 7.3 A report on the findings of cases considered by the mediation service shall be received by Chickenshed on a regular basis.
- 7.4 The ultimate outcome of a complaint that cannot be resolved through process stages is a referral by the complainant to the Office of the Independent Adjudicator (O.I.A) who are independent and will advice on an outcome.
- 8 General Principles underlying the Complaints Procedure
- 8.1 Chickenshed's Student Complaints Procedure recognises the importance of the protection of the rights of those wrongly accused. Malicious or frivolous accusations will be viewed as a serious matter by Chickenshed and could lead to disciplinary action, or legal proceedings.

Additional Complaints Procedure Guidance Note

- 9 Related Areas of Policy and Practice when dealing with Complaints including Statutory Organisations providing guidance.
- 10 1. Chickenshed's Complaints Processes, wherever relevant will be informed by the organisation's other relevant policies including, where appropriate, Safeguarding policies and procedures, Equality, Diversity and Inclusion guidance, Whistleblowing guidance amongst other areas of practice.
- 11 2. Chickenshed will endeavour to observe and protect the confidentiality of individuals involved in complaints processes wherever possible and wherever requested with information disseminated on a "need to know" basis.
- 12 3. Chickenshed will be mindful of developments in practice and advice when dealing with student complaints including advice from statutory education organisations eg Office of the Independent Adjudicator, Office for Students and Ofsted amongst others.