

I Regulations relating to general complaints

1 Complaints Procedure

- 1.1 Complaints are normally about 'service' processes: how RCS or a representative member of RCS is managing or implementing something (a procedure, a law, a regulation, forms of provision).
- 1.2 Anyone who receives, requests or is directly affected by our services can make a complaint. Should someone raise a complaint on behalf of someone who is dissatisfied with our service, they would normally need the written consent of that person.
- 1.3 The complaints procedure is for those concerns which do not fall under student conduct disciplinary procedures or the staff equivalent. If the complaint is about an unreasonable action of another student or misconduct on the part of another student, it should be referred to the student disciplinary process outlined in **Section H3**. If a complaint regarding student conduct is registered as a complaint, either through the complaints inbox or directly by a member of staff, it will be referred into the Student Disciplinary process as quickly as possible and within 5 working days.

What is covered by complaints?

- 1.4 The complaints procedure covers the following:
- the Conservatoire's failure or refusal to provide a service;
 - an inadequate quality or standard of service, or an unreasonable delay in providing a service;
 - the quality of facilities or learning resources;
 - the quality of programme delivery, teaching or resources
 - dissatisfaction with one of our policies or its impact on the individual (although it is recognised that policy is set at the discretion of the institution);
 - failure to properly apply law, procedure or guidance when delivering services;
 - failure to follow the appropriate administrative process;
 - failure to meet pastoral support needs or special needs requirements;
 - staff attitude or conduct
 - conduct, treatment by or attitude of a contractor (**except** where there are arrangements in place for the contractor to handle the complaint themselves); or
 - disagreement with a decision, (**except** where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector).

What is not covered by complaints?

- 1.5 The complaints procedure **does not** cover the following:
- a concern about student conduct (covered in Section H3);
 - a request for compensation only;
 - an insurance claim;
 - issues that are in court or have already been heard by a court or a tribunal (if a student decides to take legal action, the complaint cannot then be considered under this process);

- disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests), or an established appeals process followed throughout the sector (such as institutional appeals about an academic decision on assessment or admission).
- 1.6 There are some areas where it may seem as if a student conduct issue is also a broader issue about a service or policy that the Conservatoire has. The complaints process cannot be used to deal with the student disciplinary issue. It can, however, be used to raise an issue regarding dissatisfaction with one of our policies or its impact on the individual.
- 1.7 The guiding principles of a fair and unbiased hearing, procedural fairness, and timeliness underpin the complaints process. The procedure remains confidential for all parties involved (including after the complaint has drawn to a conclusion); it is undertaken in good faith and without conflicts of interest; and the investigation makes a judgement on the balance of probabilities with a specified outcome (upheld, partly upheld, not upheld, resolved).

The procedures followed

- 1.8 The basic processes followed with the complaints policy are:
1. Student complains verbally to a member of teaching/administration staff or in writing to the complaints' inbox: complaint@rcs.ac.uk.
 2. Complaint is assessed by the **Student Community Conduct Officer** for its complexity and the outcome required by the complainant.
 3. If appropriate, the SCCO will initiate a frontline response.
 4. A **frontline response** (Stage 1) is attempted (where relevant) between the complainant and the staff responsible for the area of service being complained about. Normally for issues that are straightforward and simple, requiring little or no investigation. Can be resolved with 'on the spot' apology, explanation, or other quick action to put the matter right. A response is provided, normally within 5 working days. Where the complaint can be resolved at this stage, the resolution is recorded by the **Student Community Conduct Officer** (SCCO).
 5. A complaint is **resolved** at Stage 1 when both the Conservatoire and the complainant agree what action (if any) will be taken to provide full and final resolution for the complainant, without making a decision about whether the complaint is upheld or not upheld.
 6. Where a Complainant disagrees with the decision to handle their complaint at Stage 1, or where they are unhappy with the outcome of a frontline response, they may ask the Conservatoire to handle their complaint at Stage 2 and conduct at full investigation.
 7. Where a frontline response is not possible or relevant, or where a Complainant asks for their complaint to be handled at Stage 2, the complaint is formally **investigated by the Student Community Conduct Officer** (Stage 2). This normally means the gathering of information, mitigating circumstances, and other evidence regarding the complaint. In these cases, the complaint is acknowledged within 3 working days of

receipt by the SCCO. The SCCO will endeavour to ensure a resolution or response following investigation is normally provided in 20 working days.

8. When the process is concluded, the Complainant(s) will be provided with information on how to escalate the complaint to either Stage 2 (for frontline responses) or to the Scottish Public Services Ombudsman (for investigations) if they are dissatisfied with the outcome.
9. To ensure fairness, any student complaint investigation will normally be undertaken by the SCCO.

Timescales

1.9 The following timescales must be complied with:

Stage	Timescale
Person raises a complaint	Complaint acknowledged by the SCCO within 3 working days
Stage 1 Frontline response	Resolved in 5 working days of complaint submission
Stage 2 Investigation	Normally completed within 20 working days (or where exceptional circumstances apply, within an extended timeframe agreed by both the Complainant(s) and the Conservatoire)
Actioning from outcomes	As quickly as practical
Person wishing to make a complaint	<ol style="list-style-type: none"> 1. Normal time limit to making a stage 2 complaint is within 6 months of the event being complained about; or 2. Within 2 months of receiving a stage 1 response. 3. Where exceptional circumstances have prevented the issue from being raised within the timescales above, as soon as possible.

1.10 A complaint is **resolved** when both the Conservatoire and the complainant agree what action (if any) will be taken to provide full and final resolution for the complainant, without making a decision about whether the complaint is upheld or not upheld.

1.11 An investigation should not prevent the possibility of a resolution. Where a resolution becomes possible before the conclusion of the investigation process, and where the Complainant(s) and the Conservatoire are in agreement, the investigation will cease and the resolution will be confirmed in writing. This does not prevent the Complainant(s) from raising the same issue again under this procedure.

- 1.12 Complaints are viewed by the Conservatoire as part of the evidence behind their commitment to enhancement of the student experience. Where relevant, outcomes are used to improve services.
- 1.13 The Conservatoire's Complaints Handling Procedure (CHP) is intended to provide a quick, simple and streamlined process with a strong focus on early resolution by empowered and well-trained staff. Further details regarding the CHP are available here:
- [CHP Part 1 Introduction and Overview](#)
 - [CHP Part 2 When to use the procedure](#)
 - [CHP Part 3 Process](#)
 - [CHP Part 4 Governance](#)
 - [CHP Guidance](#)
- 1.14 Individuals wishing to make a complaint are advised to read the CHP and consult the guidance document before completing the complaint form available on the RCS website at <https://www.rcs.ac.uk/complaints>.
- 1.15 Complaints made anonymously can only be investigated if there is sufficient particular information to enable a reasonable investigation to proceed. The Conservatoire cannot investigate a complaint made without the prospect of obtaining reliable evidence to support an investigation outcome.
- 1.16 The Conservatoire may ask the Complainant(s) to attend investigation meetings and/or provide relevant information and evidence relating to their complaint. Where a Complainant (anonymous or non-anonymous) does not engage with the Complaints Handling Procedure and/or an investigation under that procedure, this may limit the scope of the investigation and any subsequent action that can be taken to resolve or address the complaint.
- 1.17 Complaints raised through the Complaint Handling Procedure (CHP) by students or staff regarding student conduct will be diverted to the **Student Disciplinary Procedure (Section H3)** and any subsequent meetings, investigations, hearings and/or sanctions will follow the protocols set out in this procedure.
- 1.18 Staff who are the subject of a complaint will be supported by Human Resources and they will be advised if the process to be followed will be the Staff Disciplinary and Dismissal Policy and Procedure. Information and guidance for staff who are the subject of a complaint can be found in Complaint Handling Procedure (Part 3) Process.
- 1.19 Complaints from students who are dissatisfied in their dealings with the Royal Conservatoire of Scotland Students' Union or claim to be unfairly disadvantaged by reason of having exercised their right not to be members of the Union will normally be dealt with under the Union's own Complaints Procedure.
- 1.20 Although the Conservatoire will make every reasonable effort to provide appropriate facilities, amenities and services, students should note that such provision may be affected by conditions which prevail from time to time. In such circumstances, the Conservatoire cannot accept responsibility for a level of service which may be less comprehensive than that provided normally.

- 1.21 In accordance with the Conservatoire's [Dignity at Work and Study Statement](#), all complainants will be treated fairly and a student will not be treated adversely as a result of their making a complaint. However, there could be serious consequences if a complaint is subsequently deemed to have been frivolous, vexatious, untrue or made in bad faith.
- 1.22 The Conservatoire may share complaint details with relevant Departments or members of staff as part of the Complaint Handling process. Where this is the case, the Conservatoire will actively seek the consent of the Complainant(s) before doing so.
- 1.23 The Conservatoire takes student and staff privacy very seriously and confidentiality is important in complaints handling (see Maintaining confidentiality and data protection in the [Complaint Handling Procedure \(Part 1\) Introduction and Overview](#)). The information that is normally recorded includes the name and contact details of the Complainant(s), the area or person the complaint relates to, the date of complaint and the deadline for completion, the complaint Stage (frontline response or investigation), and a brief summary of action taken by the Conservatoire. Only a very limited number of staff will have access to the secure file which contains complaints information, and this will not include any academic members of staff, or HR staff.
- 1.24 The Conservatoire also takes seriously the principles of child friendly complaints handling as outlined in guidance by the SPSO in 2025 following the implementation of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024.
- 1.24.1 This Act ensures that children's (a person up to the age of 18) needs and rights are met by complaints handling procedures in Scotland. As a result, the Child Friendly Complaints Handling Process will normally be applied when the Conservatoire receives a complaint that is:
- raised by a child;
 - raised by an adult on behalf of a child;
 - about matters that wholly or primarily affect a child.
- 1.24.2 Process: While the published Complaints Handling Procedure remains the relevant procedure to be followed, there are some additional steps that may be taken when children are involved. Not all of these steps will be relevant to every case. In summary, these steps are:
- a. Seek the informed consent of the child;
 - b. Explain rights as they relate to participating in the Complaints Handling Procedure;
 - c. Seek the child's views, feelings, and wishes relating to the matter of complaint;
 - d. Determine whether it is necessary and appropriate to involve a Responsible Adult;
 - e. Determine ownership of the complaint – where an adult raises a complaint about matters that wholly or primarily affect a child, the child will usually be considered the 'owner', and consequently, the primary decision maker of the complaint;
 - f. Undertake a Best Interests Assessment where appropriate
Have a First Discussion with the child about their complaint and next steps;
 - g. Offer an Outcome Discussion to explain the decisions reached;
 - h. Provide a child friendly outcome letter;

- i. Provide a Decision Letter if requested by the child or adult, explaining how decisions were reached and how the child's views were taken into consideration

1.25 Visual quick guide to process

