Futureworks

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Futureworks

Student Complaints Policy & Procedure

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Futureworks

1 Overview

1.1 Futureworks is committed to providing a high-quality service to its students. We actively encourage feedback on all aspects of the student experience and recognise that there may be occasions when the level of service received falls short of that which might reasonably be expected.

1.2 This Policy & Procedure for 2026-27 sets out the means by which service issues can be resolved in a quick and constructive manner. Specifically, the aims of the Student Complaints Policy & Procedure are:

1.2.1 to resolve complaints in a timely, effective and fair manner; and

1.2.2 to resolve complaints as close as possible to the academic or service area in which they arise.

1.3 In most cases, it is anticipated that any service issues will be resolved via facilitated discussion with the person(s) concerned, such as a Module or Personal Tutor, or a member of our support staff. Most concerns can be resolved informally and quickly, and should you wish to bring our attention to any aspect of your experience at Futureworks, we encourage you to raise the matter with the appropriate person. For example:

1.3.1 A concern about your experience within a module can be raised with the Programme Leader. Or, if there is a reason you prefer not to speak to the Programme Leader, you can speak to your Personal Tutor or another Tutor.

1.3.2 A concern about Futureworks learning resources can be raised with a member of Student Services.

1.4 We recognise that there may be occasions when you have cause for complaint about the service you have received, which you feel cannot be resolved informally, or where you have raised the matter with your tutor or a member of support staff but are dissatisfied with the response. Thus, where early resolution of a complaint has not been possible and/or where a concern is of a more complex nature, our Procedure ensures that your concern will be fairly and thoroughly investigated by a relevant senior member of staff, and handled under our formal complaint resolution procedures, as required.

1.5 Should any complaint not be satisfactorily resolved through our internal process, you are able to request that your complaint be reviewed by The Open University (OU) as the awarding body. If you remain dissatisfied after the OU's review, you can then request an independent review by the Office of the Independent Adjudicator (OIA) [www.oiahe.org.uk], the higher education sector ombudsman, or (specifically for apprentices) the Department of Education.

2 Scope

2.1 The Student Complaints Policy & Procedure covers complaints from any student currently enrolled on a Futureworks degree programme. Students who have suspended their studies, or who have been temporarily suspended or excluded from Futureworks may also make a complaint under this Policy. Former students are eligible to make a complaint, providing this is done within 90 days of leaving their course.

2.2 If your complaint relates to personal behaviours, including harassment, sexual misconduct or domestic abuse, you should consult the Procedure for Reporting and Responding to Incidents of Harassment, Sexual Misconduct and Domestic Abuse. In these sensitive cases, measures may be put in place to protect the interests of all parties whilst an investigation is carried out. Student Services can provide expert advice and support to any student who is concerned about these behaviours.

2.3 If your complaint is about the personal behaviour of a member of staff working for or on behalf of Futureworks, it will be progressed in line with this Procedure, in consultation with the COO. If the complaint is about the personal behaviour of a Futureworks student, it will be progressed under the Student Disciplinary Procedure, which can be found in the Regulations for the Conduct of Students.

3 What is a complaint?

3.1 The Office of the Independent Adjudicator (OIA) defines a complaint as:

3.1.1 "an expression of dissatisfaction by one or more students about a provider's action or lack of action, or about the standard of service provided by … the provider."

3.2 A complaint may relate to:

3.2.1 the quality and standard of service provided by Futureworks, including the provision of teaching and learning;

3.2.2 failure to provide a service which would reasonably be expected on a course;

3.2.3 facilities or learning resources deemed to be unsuitable for the prescribed purpose;

3.2.4 inappropriate behaviour or treatment by a staff member;

3.2.5 a failure by Futureworks to correctly follow a stated administrative or academic process.

3.3 What does NOT constitute a complaint under this process?

3.3.1 There are circumstances in which you may find yourself dissatisfied with some aspect of your experience whilst on your course, but which do not fall under the Student Complaints Policy & Procedure. Where this is the case, other processes and procedures exist to enable you to seek resolution to your issue. The following examples would not constitute a complaint under this process:

3.3.2 a routine, first-time request for a service;

3.3.3 a matter relating purely to academic judgement (including marks awarded for formative or summative assignments unless on the grounds that appropriate marking procedures were not followed);

3.3.4 an academic appeal against a decision by an assessment board;

3.3.5 Freedom of Information Act, Subject Access Requests or other Data Protection requests;

3.3.6 requests for information on Futureworks' policies or procedures;

3.3.7 responses to invitations to provide feedback;

3.3.8 insurance claims;

3.3.9 attempts to have a complaint reconsidered after final decision has already been reached;

3.3.10 misconduct relating to research and/or ethical practice;

3.3.11 challenges to admissions decisions;

3.3.12 complaints about third parties or other students;

3.3.13 complaints about matters which are already under consideration by The Open University;

3.3.14 complaints about matters which are under legal review.

3.4 Related policies and procedures:

3.4.1 Academic Appeals Policy & Procedure

3.4.2 Fitness to Study Procedure

3.4.3 Regulations for the Conduct of Students (includes Student Disciplinary Procedure)

3.4.4 Student Harassment and Sexual Misconduct Policy

3.4.5 Procedure for Reporting and Responding to Incidents of Harassment & Sexual Misconduct

4 Representation

4.1 Usually, we would expect that you make the complaint yourself; however, if you are unable or uncomfortable doing this you can have a third party submit the complaint on your behalf and represent you during the Procedure. Your representative is permitted to submit information, attend meetings, ask clarifying questions about the process and the decisions made, and speak on your behalf. In such cases Futureworks will contact you for your agreement prior to accepting the complaint.

4.2 The Student Complaints Procedure does not have the same level of formality as a court process and in most cases it would not be necessary for you to have formal legal representation. In exceptional circumstances Futureworks will consider allowing you to use legal representation.

5 Group Complaints

5.1 There are a number of well-established routes to raise initial concerns collectively, particularly where the issue complained about relates to an aspect of your academic experience. For example, you may raise issues through Student Partners or formally at the end of a module via the Group Discussion element of Module Evaluation Questionnaires. Responses to group

feedback will be provided to you via the mechanisms outlined in the Student Feedback Map and will not generate responses to individual students. Students may also approach members of staff directly, who will provide a written response to the group.

5.2 Where a Stage 2 complaint is raised collectively the group will need to nominate a representative to submit the Stage 2 Formal Complaint form. The representative does not need to be a Student Partner, but you may wish them to help co-ordinate the complaint. You can find the name and contact details of your Student Partners on your programme page of the MyFutureworks VLE or find a full list of Student Partners here in the Student Information section. One Stage 2 Formal Complaint form, which names all learners who wish to make a complaint, can then be submitted and a copy shared with all named learners. The Complaints Team will then contact the named learners to confirm that the issue has directly impacted them and that they are happy to be represented by the nominated spokesperson.

5.3 If Futureworks receives a number of individual complaints about the same issue we may decide to handle these as a group, but only if individual students give their explicit consent and if they have been affected in the same way. If a group approach is appropriate students will be asked to nominate a representative from the group.

5.4 The representative will be required to:

5.4.1 collect and submit information and evidence from the students in the group

5.4.2 liaise with the Complaints Team about the process to be followed and explain this to the group

5.4.3 attend any meetings and make representations on behalf of the group

5.4.4 present any resolution offered by Futureworks to the group

5.4.5 formally accept or reject any solutions offered on behalf of the group

5.5 If the group is unable to nominate a representative a member of staff with no involvement in the issue or in the complaints process may act as a representative.

5.6 Futureworks does not require all of the students in the group to accept the proposed resolution. Students should decide on an individual basis whether any offer provides a satisfactory

resolution for them, or if they want to go on to the next stage of the Student Complaints Procedure.

6 Anonymous Complaints

6.1 Except in exceptional circumstances, such as where there is a safeguarding concern, anonymous complaints will not be dealt with under this Procedure. Anonymous complaints are handled at the discretion of the Complaints Team in consultation with the Principal. Futureworks is limited in terms of how we can respond to and support you if you make a complaint anonymously and we will not usually be able to issue a Completion of Internal Procedures Letter if we do not know who made the complaint, so you might not be able to escalate your complaint to The Open University or submit your complaint to Office of the Independent Adjudicator (OIA) should you wish to do so.

7 Support

7.1 If you think you have grounds for a complaint, you are encouraged to seek procedural advice and pastoral support from Student Services. Futureworks will never penalise you for raising a complaint about something you are genuinely concerned about, even if those concerns turn out to be misplaced and your complaint is not upheld.

7.2 Whatever the nature of the concern, the Student Advice Centre is available to provide you with advice and guidance throughout the Complaints Procedure. They can be contacted by email at student.services@futureworks.ac.uk or by phone on 0161 214 4610. Alternatively, you can attend the Student Advice Centre in person, which is located on Floor 3.

8 Early Resolution

8.1 Prior to making a complaint, you are strongly advised to seek early resolution, as it may be possible to deal with any issues quickly and informally. Complaints should be raised with the most relevant service area or member of staff as soon as possible to ensure prompt investigation and, wherever possible, swift resolution. In all cases, you may wish to seek guidance from Student Services should you be uncertain about which process is the most appropriate for your particular concern.

9 Timescales

9.1 Futureworks' Student Complaints Process has three stages:

9.1.1 Stage 1 - Early Resolution

9.1.2 Stage 2 – Formal Complaint

9.1.3 Stage 3 – Review

9.2 The timeline for completion of the three stages is as follows:

Step	Timeframe
STAGE 1: EARLY RESOLUTION	
Stage 1 - complaint made by student	Within 28 days of the event
Stage 1 complaint resolution provided to student by Futureworks	Within 14 days of complaint being made
STAGE 2: FORMAL	
Stage 2 complaint made by student	Within 14 days of Stage 1 resolution
Stage 2 complaint resolution (without Panel meeting) provided to student by Futureworks	Within 21 days of receiving Stage 2 complaint
Stage 2 complaint resolution (with Panel meeting) provided to student by Futureworks	Within 35 days of receiving Stage 2 complaint
STAGE 3: REVIEW	
Stage 3 review application made by student to The Open University	Within 21 days of Stage 2 resolution
Stage 3 resolution provided to student by The Open University	Within 28 days of receiving Stage 3 complaint

9.3 Complaints should be raised within 28 calendar days of the event occurring or the problem becoming apparent.

9.4 Futureworks aims to provide a resolution at Stage 1 (Early Resolution) within 7 calendar days of receiving the complaint. Once an outcome has been provided at Stage 1, you have 14 calendar days to request that your case be escalated to Stage 2.

9.5 Futureworks aims to provide a resolution at Stage 2 (Formal) within 35 calendar days of receiving the formal complaint.

9.6 Once an outcome and Completion of Internal Procedures Letter has been provided at Stage 2 (Formal Complaint) you have 21 calendar days to request that your case be reviewed by The Open University at Stage 3 (Review).

9.7 The Open University aims to provide an outcome at Stage 3 (Review) within 28 calendar days. Following this it will issue a final Completion of Procedures Letter.

9.8 Futureworks and The Open University aim for all formal stages to be completed within 90 calendar days; however, there will occasionally be circumstances when, for good reason, they will need to extend the timeframe. Where this is the case Futureworks or The Open University, whichever is relevant, will inform you and update you regularly on progress.

9.9 A request by you to consider a complaint beyond the above time limits will not normally be granted unless there is evidence that you were precluded from raising or escalating the complaint within the normal timescales; however, Futureworks will consider such complaints on a case-by-case basis.

10 Confidentiality

10.1 Confidentiality will be preserved during the investigation of a complaint to safeguard the interests of everyone concerned, unless disclosure is necessary to progress the complaint, or where the health and safety of individuals may be at risk. Where confidentiality cannot be maintained, your consent will be sought or you will be informed, depending on the circumstance.

11 PROCEDURE

11.1 Futureworks will ensure that anyone investigating or deciding on a complaint has had no prior involvement in the complaint wherever possible, and will endeavour to carry out these procedures fairly, consistently and impartially. Where a process references a specific office holder (for example, the Head of Student Services), this shall be understood as meaning any nominee acting on behalf of that office holder should it be necessary for that person to exclude themselves from the process (for the reasons above, or due to sickness or other absence).

11.2 Each stage of this Procedure is intended to ensure resolution occurs efficiently and as close to the point of complaint as possible.

12 Stage 1 – Early Resolution

12.1 To make a complaint you must start at Stage 1 unless there are exceptional circumstances which make it inappropriate to do so.

12.2 The goal of Stage 1 is to attempt to resolve issues as quickly as possible, particularly where concerns are relatively straightforward in nature and/or require little or no investigation.

12.3 You are encouraged to raise complaints as soon as you become aware of the problem and to raise them directly with the academic school, department or appropriate service area in which the incident or problem arose. Complaints should be raised within 28 days of the event occurring or the problem becoming apparent. Concerns may be raised in person, by email, or by phone. If a complaint is raised by email you should expect confirmation of receipt within 5 calendar days.

12.4 Upon being notified of a concern at this stage, the member of staff will typically consider the following:

- What is the nature of the concern being raised?
- What outcome are you looking to achieve?
- Can the concern be resolved satisfactorily with minimal investigation required?
- Does the concern relate to one or more areas covered by this Procedure or would another process or procedure be more appropriate?
- Does the matter warrant input and/or advice from another member of staff?
- How might you need to be supported throughout this process?

12.5 It is possible that early resolution may be achieved through the provision of an immediate explanation as to why a particular decision was taken, or action occurred. It may be appropriate, in some cases, for staff to make an apology and/or to provide assurance of what will be done to prevent reoccurrence of the issue in the future.

12.6 If responsibility for the incident or problem being complained about lies within the staff member's area of work, every effort will be made to resolve the problem at source. If responsibility lies elsewhere, the staff member receiving the complaint will liaise with the relevant area in an attempt to resolve the problem on your behalf.

12.7 If appropriate the member of staff may facilitate a discussion, which may take the form of a supervised meeting with the relevant parties to try to reach a satisfactory outcome without needing to escalate matters more formally.

12.8 If the staff member is not able to resolve or respond to the complaint themselves, they should agree with the appropriate colleague who will assume responsibility for handling the complaint and communicate this to the you at the earliest opportunity.

12.9 Futureworks aims to provide a resolution within 14 calendar days of receiving the complaint. Where an extension is required this will be clearly communicated to the you. The member of staff handling your complaint will log your complaint to ensure a record is kept.

12.10 The outcome of the Stage 1 complaint will be communicated to you in person or by phone, however; it may be necessary to confirm the outcome by email, depending on the nature of the concern raised. The response will address the main elements of the complaint and provide an explanation of the outcome(s), including any proposed resolutions. It should also direct you

to this Student Complaints Policy & Procedure so that if you are not satisfied with the response and you can follow the Procedure to make a Stage 2 formal complaint.

13 Stage 2 – Formal Complaint

13.1 If you remain dissatisfied after you have received the Stage 1 (Early Resolution) outcome or if informal resolution was not possible or appropriate due to the complexity or seriousness of the matter you may choose to make a Stage 2 Formal Complaint.

13.2 A Stage 2 complaint should be submitted no later than 14 calendar days after receiving the outcome of Stage 1, or, if Stage 1 is bypassed it should be raised within 28 days of the event occurring or the problem becoming apparent. Complaints submitted to Stage 2 will normally be acknowledged within 5 calendar days, with a full response provided to you no later than 35 calendar days from receipt of the form and the associated evidentiary documentation.

13.3 In cases of exceptional complexity, an investigation may require action and consideration in excess of the above timescale. In such circumstances you will be informed of the reason for this along with an estimation of the anticipated length of the delay. If you feel that the process is being unreasonably delayed, you should contact complaints@futureworks.ac.uk to request assistance from the Complaints Team in furthering the matter and/or having the case reviewed by the Principal.

13.4 In the majority of instances, Stage 2 complaints will already have been considered at Stage 1 (Early Resolution) unless exceptional circumstances warranted escalation directly to Stage 2.

13.5 In order to be eligible for Stage 2 your complaint must meet one or more of the following criteria:

- you have started the process at Stage 2 because you have good reason for not wanting to engage with Stage 1 early resolution
- Stage 1 early resolution was attempted, but you remain dissatisfied and have submitted a Stage 2 formal complaint within the published timeframe as outlined in section 9.2;
- the issues raised are complex and will require detailed investigation;
- the implications of the concern raised are likely to be significant;
- Futureworks decides that your complaint should be considered at the Stage 2 formal

stage without first trying Stage 1 early resolution; for example, because the complaint is brought by a former student and there is no ongoing relationship.

13.6 When Futureworks receives a formal complaint it will carry out an initial assessment to check that it has been made under the right procedure and within the stipulated timeframe. Possible outcomes of initial assessment are as follows:

- Referral to a different procedure
- Rejection of the complaint; for example, because it has not been submitted in line with published timeframes
- Procedure to formal consideration
- Referral to conciliation or mediation

13.7 In order to make a Stage 2 formal complaint you must complete a Stage 2 Formal Complaint Form or email complaints@futureworks.ac.uk if you are no longer a current Futureworks student. Your complaint will then be triaged and allocated to the most relevant senior member of staff to investigate. Upon receiving a Stage 2 complaint, the relevant manager should seek advice from the Complaints Team on the investigative procedure.

13.8 In submitting a Stage 2 Formal Complaint Form you will be required to provide full details of your concern, the resolution you are seeking and all relevant supporting evidence and documentation. In doing so, you are strongly advised to seek advice and guidance from either the Student Advice Centre or your Personal Tutor.

13.9 In the event that a Stage 2 complaint relates to the actions or activities of more than one school or department, or where there is any potential conflict of interest, the Complaints Team will identify a single individual to take the lead in the investigation.

13.10 You will be informed of who is investigating each key element of your complaint and a co-ordinated response will typically be provided. In the event that a complaint includes serious allegations of misconduct, it may be that other relevant processes need to be used for investigation and/or determination of the outcome in conjunction with this Procedure.

13.11 Typically the investigator will meet with you to consider a number of key questions:

- What are the key elements of the complaint?
- Why were efforts at Stage 1 (Early Resolution) not successful?
- Was any potential resolution offered at Stage 1?
- What are you seeking to achieve by escalating the complaint to Stage 2?
- Do your expectations appear to be reasonable and achievable?
- Has facilitated discussion been attempted?

13.12 It is important that before the investigation begins both you and the investigator fully understand the purpose and scope of the investigation.

13.13 If your expectations appear to exceed what Futureworks may reasonably provide, or are not within Futureworks' power to provide, the investigator should inform you of this as soon as possible in writing in order to manage your expectations about possible outcomes.

13.14 The investigator of the complaint may talk to key staff or other students and consider documents and other evidence. The investigator will keep records of who they have spoken to or met and will produce a report based on their investigations outlining the process followed, the information gathered, the conclusions drawn and any recommendations. You or your representative will receive copies of the information considered and a copy of the investigation report. The investigator may also recommend that mediation or conciliation might be effective at this stage.

13.15 Depending on the complexity and significance of the complaint the investigator may refer their report to the Student Complaints Panel to decide on the outcome(s). The investigator will make clear to you who will make the decision about your complaint.

13.16 If a Student Complaints Panel is convened, you will be invited to attend a Panel meeting. We recognise that you may need guidance on how to prepare for such a meeting, so we encourage you to seek advice and support from Student Services. They can explain the format of the meeting, confirm what you need to prepare and guide you through how possible outcomes may impact you, as well as explaining your rights. Student Services can also provide pastoral support should you need it. You can contact them at student.services@futureworks.ac.uk or visit the Student Advice Centre on Floor 3. You can also find guidance on your rights in relation to academic appeals in the OIA Good Practice Framework

13.17 At the Panel meeting you may be accompanied by a person of your choosing and the right to call witnesses to support your case, provided that you inform the Stage 2 Chair of their identity at least 24 hours prior to the meeting. The Academic Registry will provide you with the Stage 2 Chair's contact details. Meetings may be recorded if requested as a reasonable adjustment; however, you should not make recordings without permission.

13.18 The Stage 2 Chair will ensure that you are invited to present your case at the meeting so that you have the opportunity to amplify the written case. The Panel will make enquiries that are appropriate and proportionate, will ask questions and consider evidence to enable a decision to be made about the complaint.

13.19 If the outcome that you are seeking as a result of your complaint cannot be reasonably delivered because, for example, it is not permitted by Futureworks policies, the Stage 2 Chair will explain why this is the case and what might be a reasonable alternative outcome in the circumstances.

13.20 The Stage 2 Chair will normally inform you verbally (at the Panel meeting) and in writing of the outcome of the complaint, which may be that:

13.20.1 the complaint is upheld, with an explanation of how and when any remedy will be implemented;

13.20.2 the complaint is partially upheld, with an explanation of how and when any remedy will be implemented;

13.20.3 the complaint is not upheld.

13.21 The outcome of the Stage 2 investigation will be communicated to you in writing giving a clear explanation for the determination made on each key element of the complaint and any resolution to the complaint. Once the outcome has been issued, a record will be kept by Futureworks detailing the decision reached.

13.22 The written outcome will also provide information about:

- your right to take the complaint to the Stage 3 review stage
- the grounds on which you can do so
- the time limit for taking it to the review stage
- the appropriate procedure
- where and how to access support

13.23 The Stage 2 Chair will be responsible for preparing a report of the Stage 2 Student Complaints Panel meeting, which will be sent to you with the outcome letter within 5 calendar days.

13.24 Futureworks aims to deal with Stage 2 complaints within 35 calendar days from the point of receiving the formal complaint. If this is not possible for any reason, we will let you know why and when you might expect to receive a response. Futureworks recognises that there are some cases where an accelerated process is necessary; for example, when the complaint relates to ongoing disability support or a delay could be detrimental to your mental health. In such cases, Futureworks will make all reasonable efforts to ensure a swift resolution.

13.25 Completion of Internal Procedures Letter

13.25.1 Once the Stage 2 process is complete Futureworks can issue a Completion of Internal Procedures Letter. Futureworks would not normally issue this letter automatically if you decide not to take your complaint to the next stage.

13.25.2 If you ask for a Completion of Internal Procedures Letter and you are out of time to progress the complaint and Futureworks is not willing to consider a late submission, we will issue a Completion of Internal Procedures Letter. The letter will explain that you have not completed the process, but you are now too late to do so, therefore there are no further steps that you can internally.

13.25.3 If you ask for a Completion of Internal Procedures Letter and you are in time to take the complaint to the review stage, Futureworks will signpost you to the next stage of the Procedure. If you decide not to engage with the next stage and you still want a Completion of Internal Procedures Letter Futureworks is happy to provide this, including an explanation that you have not completed the Futureworks' internal Procedure.

14 Stage 2 (Formal) - Roles and Responsibilities

14.1 Stage 2 Student Complaints Panel

14.1.1 If a Student Complaints Panel is deemed necessary for a Stage 2 complaint it will comprise:

14.1.2 Chair: Vice Principal (or nominee), who has not previously been involved in the complaint.

14.1.3 Members: Programme Leader from a different School to yours, who has not previously been involved in the complaint.

14.1.4 Principal or Lead Student Partner

14.1.5 Secretary: Member of the Academic Registry

14.2 The Student Complaints Panel will not include anyone who has had relevant prior involvement in the complaint which is the subject of the Panel meeting.

15 Stage 3 – Review

15.1 Review by the Open University

15.1.1 If you are dissatisfied with the outcome of your case at Futureworks and have exhausted our internal procedures, you have the right to request a review of how your case was handled. This review process is designed to ensure that your concerns are heard and addressed appropriately.

15.1.2 All Stage 3 reviews are dealt with in accordance with The Open University's OU Handbook for Validated Awards.

15.1.3 To submit a review request you must write to the The Open University Student Casework Office within 21 calendar days of the date of the Completion of Internal Procedures or final decision letter from Futureworks.

15.1.4 Set out one or more of the following reasons why you believe The Open University should review the outcome of your Stage 2 formal complaint:

- That relevant evidence has not been taken into account; or

- That irrelevant evidence was taken into account; or
- That any relevant regulations, policies, or procedures have not been applied correctly; or
- That the reasons for the decision were not fully and clearly communicated to you; or
- That there was bias, or the likelihood of bias in making the decision; or
- That the decision was made by a person or body without the necessary responsibility or authority; or
- That the procedure followed was not fair or adequate; or
- That the decision made was not fair or reasonable in all the circumstances

15.1.5 Submit any new evidence which has not previously been submitted in support of your complaint. If you introduce new evidence or a new element of complaint or academic appeal at the review stage, you should provide a valid reason to explain why this could not have been provided earlier in the process, to be eligible for further consideration.

15.1.6 Following receipt of your request for review the Stage 3 process can then take up to 28 calendar days.

15.1.7 For complex cases additional time may be required to ensure a thorough review of a submission. The Open University will notify you in writing if an exception to the standard time limit is needed, and they will keep you informed of when you can expect to receive an outcome response.

15.1.8 If the request for review is not accepted, The Open University will advise you of the reasons for that decision and issue you with a Completion of Procedures Letter.

15.1.9 If the request for review is accepted, The Open University will issue an outcome and a final Completion of Procedures Letter to students within 28 calendar days of receiving the request for a review.

15.1.10 You are entitled to receive support from Futureworks Student Services throughout the review process, including guidance on how to submit your request to the OU.

16 Independent External Review

16.1 Once the Stage 3 review has been completed and an outcome issued to you, or where it is determined there are insufficient grounds for the complaint to be considered within Stage 3, you are entitled to ask the Office for the Independent Adjudicator (OIA) to review your complaint. The OIA considers complaints from students who remain dissatisfied at the conclusion of the complaints handling procedures and which meet the OIA's eligibility requirements. The complaint must be received by the OIA within twelve months of the final Completion of Procedures Letter being issued by the Open University. It typically takes a number of months for the OIA to consider a complaint and issue an outcome. Further information about escalating a complaint to the OIA is available at: https://www.oiahe.org.uk/

16.2 If you are an apprentice you can also escalate your complaint to the Department for Education by contacting the National Apprenticeship Helpdesk on 08000 150 600 or emailing helpdesk@manage-apprenticeships.service.gov.uk.

17 Vexatious, Malicious and/or Frivolous Complaints

17.1 Although the majority of concerns are raised in good faith, there are occasions where a complaint is made with the intention of causing harm, stress, disproportionate effort and/or reputational damage to Futureworks and its community. If, on receipt of a complaint, it is considered that you are acting in such a manner, the Complaints Team will determine if your complaint meets any of the following criteria:

- The complaint is without any clear purpose or value; or,
- The complaint is designed to cause disruption and/or annoyance; or,
- The complaint is likely to give rise to disproportionate inconvenience and/or expense; or,
- The complaint is likely to have the effect of harassing Futureworks and/or its staff; or,

17.1.1 The complaint can be fairly characterised as obsessive and/or manifestly unreasonable; or,

17.1.2 You are deemed to be intent on doing harm and/or mischief; or,

- The complaint has been made in malice, e.g., it is clear that no redress is sought; or,
- The complaint is not serious or sensible in content, attitude or behaviour; or,
- There is an absence of a clear desire for a sensible or reasonable form of redress; or,
- The evidence is found to be not genuine.

17.2 Where it is judged that a complaint is vexatious, malicious and/or frivolous in nature, the Complaints Team may decide to reject the complaint without full consideration of its merits. If this judgement is reached it will be explained to the you, in writing, within 7 calendar days of receiving a Stage 2 formal complaint, along with details of why the complaint is considered to be an abuse of process.

17.3 You may appeal against a decision to reject your complaint as an abuse of process by emailing complaints@futureworks.ac.uk within 14 calendar days of this decision. The Principal will consider the appeal and will notify you of their decision within 7 calendar days. If the original decision is upheld, a Completion of Internal Procedures Letter will be issued. If, instead, the formal complaint is accepted, the Stage 2 timeline will begin from the date that the complaint is accepted.

18 Policy on Unacceptable Behaviour

18.1 This policy sets out Futureworks' approach to the relatively few students whose actions or behaviour it considers to be unacceptable. For the purposes of this policy, the term "student" includes any student or person acting on behalf of a student or who contacts Futureworks in connection with a complaint.

18.2 Futureworks understands that making a complaint can be a stressful experience for students, however, it also has a duty to ensure the safety and wellbeing of its staff. Futureworks is committed to dealing with all students fairly and impartially, and to providing a high-quality service, but it does not expect its staff to tolerate behaviour which would be considered to be unacceptable. This includes, for example, any communication which is found to be:

- Abusive, offensive, defamatory or distressing;
- Aggressive, threatening, coercive or intimidating;

- Discriminatory;
- Unreasonably persistent or demanding.

18.3 Futureworks will take action to protect its staff from such behaviour, which may include action under the Regulations for the Conduct of Students. Where the behaviour of a student is considered to be unacceptable they will be notified of this and given the opportunity to change it. If the unacceptable behaviour continues the Principal has the right to temporarily impose conditions of contact with Futureworks staff and/or students, restrictions on access to facilities, or other appropriate conditions regarding the student's continuance at Futureworks. Any conditions imposed by the Principal will be appropriate and proportionate.

18.4 In such circumstances, the Principal will write to the student, explaining why their behaviour was considered to be unacceptable, what action has been taken as a result, and the duration of that action. Where a student continues to behave in a way which is considered to be unacceptable, it may be necessary to terminate contact with them. This may mean that the handling of their complaint is stopped altogether.

18.5 Where the behaviour threatens the safety and welfare of Futureworks staff and/or students, Futureworks will consider other options, including utilising the provisions of the Regulations for the Conduct of Students including suspension from the campus, reporting the matter to the police, and/or taking other legal action.

19 Monitoring & Review

19.1 Oversight of the Procedure is provided by Futureworks and The Open University. Futureworks maintains a Stage 1 early resolution complaints log and keeps records of all Stage 2 formal complaints. Programme Leaders and Student Services are required to provide an anonymised summary of early resolution complaints in their reports to School Committees. An anonymised summary of complaints and stakeholder feedback from those involved in the Procedure is reported to the Academic Board and feeds into the annual review of this policy. The Academic Board reports on complaints annually to the Board of Directors. Futureworks also provides an annual report to The Open University regarding how complaints have been addressed, including the nature and outcomes of these cases.

20 Useful Websites

20.1 Student Services support: https://my.futureworks.ac.uk/login/index.php

20.2 Office of the Independent Adjudicator for Higher Education: http://www.oiahe.org.uk/

20.3 Department for Education Customer Help Portal: https://customerhelpportal.education.gov.uk/