



## STUDENT VEXATIOUS COMPLAINTS POLICY

- 1.1. The College is committed to dealing with all complaints transparently and fairly, and in line with its published Student Complaints Policy; however, the College does not expect its staff to tolerate abusive, harassing or offensive behaviour or conduct from complainants, and therefore the College reserves the right to consider a student complaint vexatious for the reasons set out in this policy.
- 1.2. The College may consider a complaint to be vexatious if one of the following applies;
  - 1.2.1.1. A complainant makes a series of complaints regarding the same or similar issue which has already been addressed under the Student Complaints Resolution Procedure;
  - 1.2.1.2. A complainant insists upon unrealistic outcomes to their complaint;
  - 1.2.1.3. A complainant pursues a complaint in an unreasonable or improper manner (for example, through the use of abusive language or an unreasonably high volume of calls, emails or letters);
  - 1.2.1.4. The complaint, and/or the student's behaviour in relation to a complaint, is such that it is intended to cause distress, suffering or annoyance.
- 1.3. The indications in paragraphs 1.2.1-1.2.4 as to when a complaint may be considered vexatious are non-exhaustive. In considering whether a complaint is vexatious, the College will take into account all the circumstances of the case, including the contents of the complaint and the complainant's behaviour in relation to the complaint and/or the complaints procedure before making a decision.
- 1.4. The actions of a complainant whose complaint is found to be vexatious may also, where deemed appropriate, fall to be considered under the College's Student Conduct Policy and Procedure.
- 1.5. If the College decides that a complaint is vexatious, the College will write to the complainant explaining that they will no longer engage with them in relation to their vexatious complaint. The complainant will be given an explanation in writing for this decision.

### Appeal

- 1.6. If a complainant wishes to challenge the College's decision that a complaint is vexatious, they should submit a written appeal to [feedbackandcomplaints@citylit.ac.uk](mailto:feedbackandcomplaints@citylit.ac.uk). Complainants should go to the Student Centre and speak to staff at IAG if they need assistance to submit a complaint. IAG can also assist complainants if they need assistive technology or if they require an interpreter or any other support or adjustments

- 1.7. The appeal will be considered by a senior leader who will be independent, having had no previous involvement in the issue being investigated or the complaint itself.
- 1.8. The senior leader will review the evidence, including any representations the complainant has made, and will decide whether the appeal is to be upheld or rejected. If the appeal is upheld, the senior leader will direct that the complainant's complaint is reviewed by a different investigating officer in line with the College's Student Complaints Resolution Procedure.
- 1.9. The decision of the senior leader is final and if the complaint is upheld as vexatious, a letter will be issued to the complainant confirming that they have exhausted the College's Student Complaints Resolution Procedure.
- 1.10. If a complainant remains dissatisfied with the College's final decision, they may submit a complaint to the Education and Skills Funding Agency. Complainants should refer to the College's Student Complaints Policy for details of how to make a complaint to the ESFA.

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| <b>Executive Owner</b>            | Julie Gilbert                |
| <b>Policy Owner</b>               | Graham Jennings              |
| <b>Approval Body</b>              | Governing Body               |
| <b>Date Approved</b>              | 17/10/23                     |
| <b>Review Period</b>              | Every two years              |
| <b>Next Scheduled Review Data</b> | Two years from date approved |

### Version tracking

| <b>Versions</b> | <b>Date</b> | <b>Author</b>   | <b>Reason for changes</b> |
|-----------------|-------------|-----------------|---------------------------|
| 1.1             | 3/2/2023    | Graham Jennings | Update                    |
|                 |             |                 |                           |
|                 |             |                 |                           |