

Navitas University Partnerships Europe (UPE) CPR QS10a: Student Complaints Version 2.1

1. Introduction

Navitas University Partnerships Europe (UPE) is committed to providing a high-quality service to its students and to monitoring regularly the effectiveness of its services. Feedback and comments on these services are always welcome. A number of opportunities are available to provide feedback to the College on any aspect of the service delivered. They include formal committees, student surveys, student representative meetings and focus groups.

The Student Complaints procedure has been designed to allow students who are enrolled at Brunel University London Pathway College to seek redress for any disadvantage, damage or distress caused by inappropriate acts, behaviour or omissions by the College or its representatives. **This document sets out our policy and procedure (informal stage) in conjunction with Brunel University regulations (formal stage).**

Former students may raise a complaint provided the complaint is about a matter which occurred whilst they were enrolled as a student and they comply with the timescales for the submission of complaints set out below.

The complaints procedure for students is one aspect of the College's quality assurance procedures; complaints are therefore considered as useful feedback and, where appropriate, will be used to facilitate improvements to services and facilities. This will be achieved through semester reporting to the Academic Registry and, where appropriate, the College Progression Board, to ensure that outcomes and recommendations from the formal procedure are actioned.

2. Definition of a Student Complaint

A complaint is defined by the Office for Independent Adjudicator of Higher Education (OIAHE), as “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 or on behalf of the provider.” It can be brought by one or more students against one or more individuals working for the College.

2.1 Examples of complaints include

- Failure by the College to meet obligations including those outlined in learning contracts, course/student handbooks or the Student Charter
- Misleading or incorrect information in publicity or promotional material and other information provided by the College
- Concerns about the delivery of a programme, teaching or administration provided by the College
- Poor quality of facilities, learning resources or services provided directly by the College
- Complaints involving other organisations or contractors providing a service on behalf of the provider.
- This list is not intended to be exhaustive and, where appropriate, other matters will be considered under the Complaints Procedure
- Brunel University may allow students to make a complaint relating to the academic provision of a College-run programme directly to them. In such cases the College will facilitate the process where possible.

2.2 Exclusions

The following concerns/complaints cannot be made under the Complaints Procedure:

- Complaints raised anonymously will not be considered under this procedure (but see 3.2 below).

- Decisions which amount to “academic judgement” including any decision that is made by an Academic Committee or Board of Examiners. These are covered by the regulations for **Academic Appeals** (See CPR QS10b).
- Decisions made in relation to extenuating circumstances. These are covered by the regulations for the consideration of extenuating circumstances.
- Complaints about issues over which Brunel University London Pathway College has no control.
- Complaints submitted more than three months after the act or omission being complained about are not normally be admissible.
- The College will investigate all Complaints as fully as possible. Therefore, students are not allowed to submit a subsequent Complaint if the content is substantially similar to one already considered.
- Complaints which are covered by other procedures.

3. Protocol

3.1 Behaviour

All parties involved in a complaint or appeal are required to act reasonably, fairly and courteously towards each other and to respect the College procedures. In addition, any student who wishes to raise an appeal should feel able to do so without fear of subsequent victimisation.

3.2 Anonymity

Where a complaint is made anonymously, normally no action will be taken. There may, however, be exceptional circumstances where the Complaints Investigator deems it appropriate to take action or investigate a matter on the basis of a complaint that is made anonymously.

3.3 Third Party Complaints

No investigation of a complaint made on behalf of a student will be undertaken without the student's written agreement to the concerns raised, and written consent for an investigation to be carried out. This includes complaints made by the parent or spouse of the student concerned.

3.4 Vexatious or Malicious Complaints

A vexatious or malicious complaint is defined as a complaint which is patently unsustainable, having been put forward so as to abuse the process of the complaints procedure or, for example, to attempt to defame the name or character of another person. The College may consider invoking disciplinary procedures in cases where complaints are found to be vexatious or malicious. All such scenarios must be reported to the the College's Academic Registry.

3.5 Complaints made by students under the age of 18 years

If a complaint is made under the Formal Procedure by a student who is under the age of 18, unless it is the student's express wish that this should not be done, the Investigating Officer will notify the parents or guardians of the student in writing and keep them informed of the progress of the complaint – generally via email or telephone. The College will permit the parents or legal guardians of the student to act on the student's behalf during the process, provided the student has confirmed agreement in writing beforehand (see CPR M1).

3.6 Group complaints

Where a complaint is brought by a group of students, one person should be prepared to identify him/herself as spokesperson and correspondent for the purposes of the Formal Procedure, and each member of the group must be able to demonstrate that he/she has been personally affected by the matter which is the subject of the complaint. In addition, all complainants must agree in writing to the spokesperson acting on his/her behalf.

3.7 Access to Information

Students pursuing a complaint through the procedure will be entitled to apply for access to personal data in accordance with the policies and procedures of the University under the provisions of the The **General Data Protection Regulation (GDPR)** (EU) 2016/679. Applications should be made in writing to the Academic Registry.

3.8 Sharing of Information

We will only share information about your complaint or appeal with other parties where disclosure is necessary in order to ensure a fair investigation, and subject to your written consent.

3.9 Accompaniment at the complaint hearing

The complainant, if he/she wishes, may be accompanied to any Complaint Hearing by a friend or representative for support or representation as appropriate. The friend or representative shall be permitted to put forward the student's case under the direction of the Chair of the Hearing, and shall be permitted to ask questions of the College representative. In the event that the complainant is unable to attend, the Hearing will be rescheduled. This person may not be a lawyer acting in a professional capacity and may not give evidence except on matters of which they have direct knowledge.

3.10 Time Limits

Time limits should usually be met by all parties. Time limits may be extended by the Investigating Officer where it is necessary to do so in order to ensure a fair outcome.

4. Procedure for Making a Complaint

4.1 Definitions and Advice

Students may wish to seek advice and help from their Student Representative or Student Union officer.

The regulations make a clear distinction between a "Concern" and a "Complaint".

A Concern (Informal) is "an opportunity for a student to bring a matter that they are unhappy about to the attention of Brunel University London Pathway College".

A Complaint (Formal) is "a formal statement by a student to which the College/Brunel University London must respond and which the student has the right to pursue if they are not satisfied with that response."

Any issue raised with any member of staff at the College or Head office, either orally in writing, will be treated as a **Concern**. If a Complaints and Appeals Form is submitted it will be considered as a **Complaint**.

4.2 Procedure to Deal with a Concern (Informal)

It is anticipated that most complaints will be resolved through informal and local means. Students wishing to complain about a member of staff or any aspect of the College's service should, in the first instance, review whether they have fulfilled their responsibilities under the particular CPR or service about which they are complaining.

Once a **Concern** has been received, resolution should be sought from the area in which the concern arose, by discussing the concern with the most appropriate member of staff (e.g. the academic tutor or their line manager) or the Student Services Officer. In those areas where a local procedure to deal with complaints exists, that procedure should be followed. If a concern is not satisfactorily resolved through these discussions, students must submit a formal complaint within 3 months of the incident causing concern.

4.3 Procedures to Deal with a Formal Complaint

If the response to the Concern under the informal procedure is considered by the student to be unsatisfactory, she/he may invoke Stage 1 of the Formal Procedure. All College applicants are Brunel University London students from the point that the University confirms their acceptance of an offer of a place on a programme. Therefore, all College students would follow the Brunel University London Complaints Procedure for formal complaints. <https://www.brunel.ac.uk/about/quality-assurance/documents/pdf/student-complaints-procedure.pdf>

4.4 Appeal

If the complainant is not satisfied with the response from the Investigating Officer, or if a response is not received within the procedure's timescales, they may request that their complaint is considered at Stage 3 (Appeal) of Brunel University London Complaints Procedure for formal complaints.

<https://www.brunel.ac.uk/about/quality-assurance/documents/pdf/student-complaints-procedure.pdf>

5. Timescales

Outlined in Brunel University London Complaints Procedure for formal complaints.

<https://www.brunel.ac.uk/about/quality-assurance/documents/pdf/student-complaints-procedure.pdf>

6. Reference Points

This policy has been updated in August 2018 and is guided by the OIAHE The good practice framework: handling student complaints and academic appeals and delivering learning opportunities with others.

For further information:

<http://www.oiahe.org.uk/media/96361/oia-good-practice-framework.pdf>

<http://www.oiahe.org.uk/media/114634/oia-gpf-delivering-learning-opportunities-with-others.pdf>