



Higher Education Student General Complaints and Grievance Procedure.

Introduction - The procedures set out in this procedural document seek to ensure that the college's complaints process is open to anyone who is or was recently registered as a HE student. The aim is that our processes are flexible to support student issues that fall under more than one process and enables complaint to be resolved informally and as early as possible to prevent anyone from being disadvantaged by raising an issue.

College staff involved in the complaints process will provide assurances that all complaints are treated seriously and confidentiality can be assured and that appropriate action will be taken when issues are identified. During each stage of the complaint process all information gathered will be used effectively to improve services for all students and their experiences in the future.

Specific procedures exist already for dealing with the following matters. These are:

- Appeals against Assessment Board decisions (taught programmes);
- Alleged harassment;
- Alleged inequality of opportunity; and
- Matters which fall within the remit of the College's student disciplinary procedures.

The procedures detailed below are designed for all other forms of student complaints which do not fall within one of the above procedures.

It should be noted that these complaints procedures are not designed to deal with problems such as: missing course work; unexplained absence of a tutor; late return of work; etc, except in so far that such concerns are not resolved through simpler procedures or are persistent.

These complaints procedures and any decisions made under them are not intended to give rise to legal rights, or obligations on the College to pay compensation either in respect of a decision made pursuant to the procedures or for a breach of these procedures. These procedures are intended to facilitate the resolution of grievances by the College. Anonymous complaints will not normally be considered.

Principles which underpin the general student complaints procedures - The guiding principles of these procedures are that complaints shall be:

- Complicit with Consumer Protection Law (full document available on link below and in Key Information for HE Students)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/428549/HE_providers_-_advice_on_consumer_protection_law.pdf

- Treated seriously and with fairness;
- Dealt with quickly and simply and at the appropriate level for Higher Education study as far as is possible.
- Treated consistently across the college and HE provision.
- Subject to the principles of natural justice;
- Progressed through an informal stage of early resolution, a formal stage and a review stage.
- Dealt with and resolved wherever possible, at the informal stage.
- Shall be without prejudice to a student's or group of students' right to pursue legal remedies outside the College having exhausted the College's complaints procedure.
- In order to be considered, any student complaint must be submitted no more than three months after the event or problem relating to the complaint.

Procedures - [Students Complaints Procedures table 2019-2020](#)

Informal Stage 1	Informal Stage 2	Formal Stage	Appeal
Specific Module tutor Hayley Sommerville Tegan Walsh Kathy Salisbury	Programmes Lead Hayley Somerville Assistant Principal HE K. Salisbury	Vice Principal Curriculum & Quality V. Bryant	College Complaints Panel

Timeframe for making a complaint

A student who is, or was recently a registered student, or a group of students wishing to complain should normally do so within 3 months of the event which has given rise to the complaint or, if a series of events has given rise to a complaint, within 3 months of the final event in the series. In exceptional circumstances, complaints received outside of this time frame will be dealt with sympathetically.

Management of group complaints - The principles and timescales outlined in these regulations will also apply to a group of students. The Assistant Principal HE is responsible for dealing with the complaint will ensure that all members of group are in agreement as to the nature of the complaint. Individual issues would normally be dealt with separately. With the agreement of the group the Assistant Principal HE will respond to and liaise with a spokesperson. In any case the outcome of the complaint will be communicated to all members of the group.

Early Resolution at the local level.

Informal Stage 1 - In the first instance students who wish to make a complaint shall discuss it with their module tutor, who will endeavour to address concerns raised or advise whether or not the complaint is best progressed through:

- Reference to specific persons who can resolve the problem or Assistant Principal HE
- One of the alternative procedures set out in the introduction.
- These general complaints procedures

Reference to these general complaints procedures should only be necessary in exceptional circumstances since most complaints, other than ones related to persistent problems, should be resolved informally.

Assuming it is agreed that the complaint shall be progressed through these general procedures, the member of staff consulted shall discuss the complaint fully with the student and – with the student’s consent – anyone else involved, to see if it can be resolved informally. This may involve referral of the complaint to a third party. The outcome of complaints dealt with informally should be documented on CEDAR.

Informal Stage 2 - If the student is dissatisfied with the result of Informal Stage 1, the complaint should be sent in writing to Programmes Lead Hayley Sommerville within 10 working days of the completion of Informal Stage 1. They shall investigate the complaint fully and shall seek to achieve an informal resolution of the problem(s), either by correspondence or through discussion with the complainant as soon as possible.

If the complaint directly involves the Programmes Lead it shall be processed by Assistant Principal HE Kathy Salisbury.

Informal Stage complaints will be dealt with in a timely fashion. Those involved in investigating the complaint will establish appropriate timescales based on its nature and complexity. These timescales should be communicated to the student and the student kept informed of any changes. Where possible, the investigation should be completed within **28 calendar days**.

Formal Stage - If a student is dissatisfied with the result of the two informal stages, they shall proceed to the formal stage. They shall put the complaint and the reason why they are dissatisfied with the outcome of the two informal stages by completing the Complaints form to Vice Principal Curriculum & Quality. This should be done within 21 days of the release of the written response to Informal Stage 2. A formal complaint will normally only be considered following the completion of the Informal stages.

The Vice Principal Curriculum & Quality shall:

- Acknowledge receipt of the written complaint within 7 days;
- Advise, in writing and within 7 days, any member(s) of staff or students involved that a formal complaint has been received; and shall
- Consider the evidence, written or otherwise, and, if necessary, hold such discussions with the complainant and any other persons they deem appropriate in order to fully investigate the complaint.

Once it has been fully investigated the complaint over a period not normally exceeding 21 days, shall decide whether:

- The complaint should be progressed through other procedures (e.g. disciplinary procedures or other procedures indicated in the introduction) in which case the complaint shall be terminated at this stage; or whether
- There is reasonable justification for the complaint; or whether
- There is no reasonable justification for the complaint.

The Vice Principal Curriculum & Quality shall:

- Make their decision known in writing to the student and to members of staff or other students involved;
- Seek to resolve any justifiable complaint through recommendations which all parties involved in the complaint shall be invited to accept; and shall,

- If the recommendations are agreed, take steps to ensure that they are implemented in full within the agreed time period.

Complaints will be dealt with in a timely fashion. The Vice Principal Curriculum will establish appropriate timescales based on the nature and complexity of the complaint. These timescales should be communicated to the student and the student kept informed of any changes. Where possible, complaints should normally take no more than 21 days to investigate from the acknowledgement being sent.

Review

Appeal - If the student is not satisfied with the decision at the conclusion of the Formal stage or if the recommendations made at this stage are not implemented, they may appeal to the Principal via his PA ceccles@cardinalnewman.ac.uk The student shall submit the appeal in writing within 10 working days of receiving the outcome of the Formal Stage.

The Principal shall:

- Acknowledge its receipt within three working days;
- Decide to enforce the implementation of the recommendations made at the end of the Formal stage;
- Dismiss the case, giving reasons in writing;
- Seek agreement to an alternative set of recommendations;
- Determine whether there are sufficient grounds to convene a Complaint Panel and, if so, shall establish a Complaint Panel to hear the appeal.

In such cases the decision shall be final.

The complaint panel will consist of the following people:

- The Principal or Deputy Principal
- Vice Principal for Curriculum and Quality, Rick Szostak
- Assistant Principal (HE)

The complainant can present their case in person to the panel and may be accompanied by a friend or relative, but not a legal representative.

The complaints Panel shall hear the complaint within ten working days of receipt of the complaint. The panel will decide how to proceed, depending on the nature of the original complaint and the reason why it has not been resolved at stages 1, 2 and 3. The complainant and any others invited to attend the panel meeting will be informed five working days beforehand how the panel meeting will operate.

Any recommendations or decisions made by the panel shall be final. If the student wishes to take a quality of learning complaint further, he or she may, within three months of receiving notification that the internal procedures of the College have been completed, write to Middlesex, the validating University for this course. They should enclose a copy of the final decision of the College and state the reasons for seeking redress from Middlesex University.

The Office of the Independent Adjudicator

When the review of a quality of learning complaint has been concluded the student will be issued with a Completion of Procedures (CoP) letter. Following this, any student who is not satisfied with the outcome of their complaint can seek resolution through further levels of investigation through the Office of the Independent Adjudicator (OIA) for Higher Education.

Service related complaints will receive a Completion of Procedures letter, if the complainant remains dissatisfied with the outcome they should contact the Office of the Independent Adjudicator directly. Information and eligibility rules are available at: www.oiahe.org.uk/.

To be reviewed September 2021.