

Student Complaints Policy

1. Your student experience at the National Centre

- i. The National Centre is committed to providing you with a high-quality experience during your studies. We also recognise that, on occasion, you may experience dissatisfaction with something we have done, or with the standard of service we provide.
- ii. Where it is not possible to resolve your concern through a routine conversation with a member of staff or through processes we have in place for providing student feedback (e.g. through student representatives), this student complaints policy provides you with further way for your concern to be considered.
- iii. You will not be disadvantaged in any other way if you submit a complaint. The only exception is if you submit a vexatious complaint, more information about which is covered in Section 14.
- iv. Any Higher Education student registered with the National Centre can make a complaint. A complaint can also be made by a student who has recently left their studies. We normally allow complaints to be submitted within three months of a student leaving so that we can address the issue as swiftly as possible. The procedure for the submission and consideration of a complaint from an applicant to the Higher Education programme (i.e. prior to any registration as a student) is set in the Admissions Policy.
- v. This Policy is designed to be as clear as possible to explain how complaints are managed. If you need any further help to understand the process, advice is available from Admissions and Registry Manager.

2. Circumstances covered by the student complaints policy

- i. Circumstances covered by the student complaints policy include:
 - If we have not met obligations outlined in your programme handbook or in policies that support the wider student experience;
 - If you have been given misleading or incorrect information in prospectuses or other promotional information that we have published;
 - Concerns you have about the delivery of your programme including the supporting services and resources;
 - Circumstances that have caused significant disruption to your studies;
 - Services delivered by organisations or individuals contracted by the National Centre that impact on you.
- ii. This policy only covers students who are enrolled with the school. Those applying for a place on the course should sue the Admissions Complaints and Appeals Policy.
- iii. The following approaches should be used in other circumstances:

- If you wish to register an appeal if you are dissatisfied with the outcome of academic decision-making processes such as an Assessment Board or an Academic Misconduct Panel; or non-academic processes such as Support Through Studies Case Conference Panels or Student Non-Academic Misconduct and Disciplinary Panels.
 - If you wish to report an allegation of Sexual Misconduct, Harassment and Related Behaviours through that policy:
- iv. We will provide you with guidance if you are unsure which policy to use, or if you initially use one policy but where another policy would be more appropriate to investigate the issues you wish to raise.
 - v. We recognise that occasionally an issue that you raise in a complaint may cross over with a matter that would usually be considered in an appeal. Where this occurs, we will take an individual approach to work through the most appropriate way to manage your case and to ensure our actions align with our policies. We will always inform you of the approach we plan to take to where a crossover of issues occurs.

3. Scope of our role

- i. Our role in responding to your complaint is to:
 - Investigate a complaint where there are sufficient grounds to do so
 - Manage the process fairly and transparently
 - Provide the opportunity for you to appeal our decision
- ii. We aim to take a timely approach to investigating a complaint and providing an outcome. This policy sets out timescales for each stage of the process. On occasion it may be necessary to extend timescales if, for example, the case is particularly complex, and additional time is needed to undertake the investigation. We will always let you know if we will require additional time and our reasons why.
- iii. We consider the outcome of complaints on the balance of probability. This means that the person investigating your complaint must be satisfied that there is sufficient evidence to show that the issue you raise more likely than not occurred if all or part of your complaint is to be upheld. The balance of probability approach is taken to the investigation of complaints across the Higher Education sector.

4. Dignity and respect

- i. Any student or member of staff engaging in the complaint process is expected to act with courtesy and respect to each other. The complaints process may be temporarily stopped if any unreasonable behaviours occurs. The relevant disciplinary policy may be used where behaviour does not comply with National Centre expectations.

5. Group complaints

- i. You may decide to submit a group complaint if several students are affected by the same issue.

- ii. Any student considering joining a group complaint should always ensure they are seeking the same outcome as other students before deciding to be part of the group. If you are seeking a different outcome, or if there is a possibility that you may seeking a different outcome, you should submit an individual complaint.
- iii. Where a group complaint is submitted, we will normally require you to nominate one or more representatives with whom we will communicate.

6. Anonymous complaints

- i. You can submit an anonymous complaint. However, we are unlikely to be able to investigate the issue/s because we would not be able to conduct a full investigation without talking to you. We strongly encourage you to talk to a member of staff if you do not feel you can raise an issue without doing so anonymously.

7. Making a formal complaint

- i. Where you wish to make a complaint, you should do so as soon as possible after the issue occurs, and ideally within ten working days. Complaints raised beyond three months will normally only be accepted in exceptional circumstances.
- ii. If you need any help to put together your complaint you should ask a member of the Higher Education delivery team.
- iii. We normally expect you to submit a complaint yourself. We will only accept a complaint written on your behalf (e.g. by a family member) in exceptional circumstances where, for example, you have significant poor health. In any circumstances in which a complaint is submitted on your behalf we will normally require you to provide your permission in writing for that other person to do so. We would subsequently:
 - Copy all correspondence to you unless you have specifically asked for this not to happen.
 - Expect you to engage in the process so that there can be full consideration of the issues raised, including us meeting with you as needed.
 - Consider if there needs to be an extension to the timescale for processing the complaint, for example, if you are in significant poor health.
- iv. If we ask you to meet with us as part of our investigation of your complaint, you may bring a friend or family member for support.

8. Consideration of your complaint

Informal resolution

- i. We aim to resolve the majority of complaints through informal resolution.
- ii. You should write an email to the Head of Higher Education, stating that you wish to make an *informal complaint* along with the outcome that you are seeking. If you are unsure who you should email, you should contact a member of the Higher Education delivery team. If your

complaint is about the member of staff responsible for the matter about which you wish to complain you should contact the COO.

- iii. You will normally receive an acknowledgement email from the member of staff to whom you raised your complaint within five working days. This email will either state how the matter you raised may have already been addressed, state the actions that will be taken to address the matter in the future and by when, or ask to meet with you to discuss the matter further. Where a meeting is requested, it will normally be scheduled within five working days of that acknowledgement email. We will alternatively let you know if we consider that the issue you have raised does not have any substance and that we will not be taking it further.
- iv. Where a meeting takes place, you and the member/s of staff will discuss the nature of your complaint, the outcome you are seeking, the actions that the National Centre is able to take in response and by when these can be achieved. If we are unable to meet some or all the outcomes you are seeking, we will provide you with the reasons why.
- v. We aim to conclude the informal resolution process within 15 working days of you submitting your complaint.

Formal investigation and resolution

- vi. We aim to resolve most complaints via the informal resolution route. However, the formal investigation route may be used:
 - If you are dissatisfied with the outcome of the informal resolution.
 - Where you feel the complaint suggests a potential or wide-ranging significant impact.
 - In any circumstance in which the National Centre decides that formal investigation is the most appropriate route to consider the complaint that you have made without undertaking the informal resolution route first.
- vii. To explore this route, you should send an email or letter to the CEO stating that you wish to make a *formal complaint* along with the outcome that you are seeking. If your complaint is about the CEO, or you have a general whistleblowing concern that you feel would not get fair hearing from any member of staff, you should contact the Chair of the Audit Committee who is a Trustee, [here](#).
- viii. Your complaint will be acknowledged by email within five working days. This acknowledgement will let you know the next steps we will be taking to investigate the issues you raise. We will alternatively let you if we do not consider your complaint to have sufficient substance to be investigated.
- ix. The CEO will appoint an investigator who will normally be a member of National Centre staff. It may be necessary for the National Centre to appoint an investigator from outside the National Centre if additional capacity is required. The National Centre will provide the name of the investigator to any person they are due to meet. Where an investigator is appointed

from outside the National Centre, information about their background and relevant experience will also be provided.

- x. The investigator will:
- Review your complaint and any supporting documentation
 - Inform the member of staff responsible for the activity about which you have complained that your complaint has been received and provide them with an opportunity to respond.
 - Decide if they need to hold meetings with you, members of staff or any relevant witnesses should this be helpful to the investigation
 - Write a report that summarises the nature of the complaint, confirms the actions that they have taken within the investigations and sets out their findings.
- xi. The investigation process will normally be completed within ten working days of acknowledgment of your complaint. However, on occasion it may be necessary to extend this timescale if, for example, the case is particularly complex, and additional time is needed to undertake the investigation.
- xii. The outcome of the investigation can be that the complaint is upheld, partly upheld or rejected and we will provide the reasons for our decision in writing.
- xiii. Where a complaint is upheld, we will inform you of the action the National Centre will take to resolve the issue. Appropriate action, where possible, will also be taken if the issues raised in a complaint may have affected other students.
- xiv. We aim to conclude the resolution process within 15 working days of you submitting your complaint.

9. Review or appeal of a complaint decision

- i. You have the right to request a review of a decision that has not upheld your complaint. A review request should be submitted to us within five working days of you receiving the written outcome of your complaint.
- ii. The grounds for us to consider a review of the complaint decision are:
- There is new evidence that, for good reason, could not have been provided at the time at which your complaint was considered originally
 - A significant procedural error affected the way in which your complaint was considered
 - Evidence of bias or prejudice within management of the process
 - Action taken or the solution provided by the National Centre in response to your complaint was unreasonable

- iii. No other reasons for a review request will be accepted, including where you are generally disappointed with the decision that has been made.
- iv. A review request will be acknowledged within five working days of receipt. The review request will be considered by the CEO and a member of the Board of Trustees who will have had no earlier involvement in the case.
- v. The outcome of the review can be to either uphold the original decision if the request does not meet the criteria above, or to refer the complaint to an appeals panel.
- vi. The Appeals Panel meeting will normally be held within 15 working days of National Centre confirming that you have advanced valid grounds for appeal. We will provide you with at least five working days' notice of the meeting date and time and will include information about the panel membership. You may choose to be accompanied by a friend or family member and should inform National Centre in advance if you plan to do so.
- vii. If attendance at the agreed time is not possible and the Chair feels there is good reason, the meeting will be rescheduled.
- viii. A complainant has the right not to attend the meeting or provide any further information. The outcome of the panel will be based upon the information it has to make its decision.
- ix. The Panel members will have no previous involvement with the case and will comprise:
 - A Chair who can be the CEO, a member of the National Centre Board of Trustees or an individual external to National Centre who has relevant Higher Education leadership experience.
 - Two other panel members who will either be senior members of National Centre staff or individuals external to National Centre with relevant Higher Education leadership experience or members of the National Centre Board of Trustees.
- x. The National Centre will ensure that at least one Appeals Panel member is from the National Centre as a member of staff or a member of the National Centre Board of Trustees. The Appeals Panel will be supported by a member of National Centre staff who will act as secretary, take a record of the meeting and will advise on process but will not take part in decision-making.
- xi. The remit of that Appeals Panel is to consider the appeal and supporting evidence and agree the action that should be taken. It is not the remit of the Appeals Panel to reinvestigate the case but to consider the grounds for appeal that have been provided. The Appeals Panel will:
 - Review the information provided of the complaints process to date.
 - Meet with investigator of the complaint
 - Meet with the complainant to discuss the appeal
 - Meet privately to agree an outcome
- xii. The outcome from an Appeal Panel can be to:
 - Overturn some or all the decisions made by the original investigator

Or

- Amend some or all the decisions made by the original investigator

Or

- Confirm that the outcome of the investigation is sound and should stand.

- xiii. The appeal panel also has the authority to make recommendations to the National Centre Academic Board about the application of this policy and any amendments that need to be made into the future.
- xiv. We aim to conclude the review process within 15 working days of your submitting the request. You will be notified of the outcome in writing, along with information about the Office of the Independent Adjudicator should you wish to pursue your case further.
- xv. This will be the end of the National Centre's direct management of your complaint.

10. Actions from the National Centre in response to upheld complaints

- i. Where your complaint is partly or fully upheld, we may take one or more of the following actions:
 - An apology
 - A clear explanation of the events or context that led to the incident
 - A change in procedure to ensure the incident does not occur again
 - Other action to address the situation
- ii. Financial compensation or refund may also be an appropriate outcome. The National Centre will act in line with its Refunds and Compensation Policy and will take account of guidance published by the Office of the Independent Adjudicator for the Higher Education sector.

11. Office of the Independent Adjudicator

- i. If you are dissatisfied with outcome of your review request, you may contact the Office of the Independent Adjudicator for Higher Education (OIA). The OIA is the body responsible for considering students' complaints once the internal procedures of the National Centre have been exhausted. The OIA has specific criteria against which a student can make a complaint; more information is published on the OIA website at www.oiahe.org.uk.
- ii. We will provide you with more details about the OIA in our decision letters.

12. Monitoring complaints and this policy

- i. The number and nature of formal complaints will be recorded and reported annually to the CEO. This report will not identify the identity of any individual student.
- ii. This report will consider immediate actions that were taken to improve the student experience in response to a complaint and will also consider if any broader actions are required by the National Centre to avoid future instances of complaints.

- iii. The CEO is also responsible for monitoring the contents of this policy and for ensuring that it reflects good practice within the Higher Education sector.

13. Support for students attending meetings

- i. If you are invited to a meeting to discuss your complaint, you can be accompanied by friend or family member.
- ii. The person accompanying you may speak on your behalf or may provide you with moral support. We would need to see your written consent for another person to represent you (i.e. speak on your behalf) in a meeting.
- iii. We would not normally expect you to engage legal representation about your complaint. We ask you to inform us in advance of a meeting if you plan to be accompanied by legal representation so that we can consider our own position.

14. Vexatious complaints

- i. The National Centre will not tolerate vexatious complaints. These include actions where:
 - There is no basis to the complaint
 - Its main reason is to cause distress, disruption or harassment
 - You are aware that the matter is already being dealt with
 - You persist with a complaint that has been closed
 - You make excessive or repeated demands about the complaint
 - Your behaviour is unacceptable or abusive
- ii. The National Centre may take disciplinary action against a student who makes a vexatious complaint or where their behaviour is vexatious.