

Section 2: Student Complaints Policy and Procedure

1. The University provides a comprehensive procedure for investigating and acting upon student complaints and will ensure that all complaints are taken seriously and are properly handled in accordance with the procedures set out below.

Principles

2. The following principles underpin the policy:
 - (a) complaints are important feedback to the University which can enhance quality;
 - (b) students will not suffer disadvantage as a consequence of making a genuine complaint;
 - (c) the University will seek to resolve complaints in a timely manner with the resources available;
 - (d) the University shall endeavour to assist students to resolve their complaints informally before they invoke the formal procedures; and
 - (e) those University officers tasked to investigate complaints shall do so impartially and objectively.

Scope

3. A complaint in relation to the following issues will be covered in the procedures set out in this policy:
 - (a) an act or omission concerning the administration or operation of a regulatory procedure or service provided by the University, e.g. fitness to practice issues not relating to academic judgement;
 - (b) the delivery or administration of the programme on which the student is registered, e.g. quality of teaching;
 - (c) the conduct of a member of the academic or support staff of the University, e.g. discrimination;
 - (d) the conduct of another student registered on a programme at the University, and
 - (e) subject to Paragraphs 4 and 5 below, any other matter concerning the operation of the University which adversely and unfairly affects the student, and which is under the University's control.
4. The procedures set out in this policy do **not** apply to complaints in respect of the following matters:
 - (a) Appeals against admission decisions, which are dealt with by the Admissions and Academic Appeals Regulations;
 - (b) Appeals against academic progress decisions, which are dealt with by the provisions for appeal against an academic progress decision;

- (c) Appeals against the decisions of Board of Examiners which are dealt with by the University's Academic Appeal Regulations;
 - (d) Allegations of cheating which are dealt with by the University's Academic Malpractice Regulations;
 - (e) Student attendance or disciplinary issues raised by the University which are dealt with by the University's Student Discipline Policy;
 - (f) The issue is subject to court or tribunal proceedings and those proceedings have concluded, or the matter is the subject of court or tribunal procedures that have not been stayed; and
 - (g) The issue concerns a student employment matter.
5. Where a student complains of a disciplinary offence committed by another student and the University decides to initiate proceedings under the Student Discipline Policy against the other student, the initiation of such proceedings will normally be deemed to constitute a resolution of the complaint.

Timeframe for Making Informal and Formal Complaints

6. An informal complaint should be made as close to the issue occurring which is the subject of the complaint.
7. A formal complaint should be made as soon as possible after the informal procedures have been exhausted, and must be made within 40 calendar days of the occurrence of the subject of the complaint. Complaints will only be considered outside this timescale if there are good reasons, supported by objective and authoritative evidence, for not complying within this timescale. Students should enclose a covering letter explaining the reasons for lateness and enclose any relevant evidence to support the lateness with the formal complaint form. The Office of Regulation and Compliance (ORC) or nominee will consider the reasons why the form is late and will decide whether or not to accept the formal complaint for review.

Informal Complaint

Making the complaint

8. In the first instance, complaints should be raised informally with the person concerned, e.g. where the complaint relates to a tutor's teaching methods the matter might be most effectively resolved by discussion with that tutor.
9. If discussion with the person concerned is not possible or not appropriate, then an informal complaint should be raised with:
- (a) the Student Advice Team; or
 - (b) the student's personal tutor; or
 - (c) the Module Leader; or
 - (d) the Programme Leader or Deputy Programme Leader; or

- (e) the Director of Programmes.
10. The student must decide with whom to raise the matter, depending on the nature of the complaint and the urgency of the matter. On receipt of an informal complaint, and with the student's consent, the member of staff consulted may refer the complaint to a more appropriate member of staff to address it.
 11. The following guidelines should be followed:
 - (a) Complaints against individuals should not be raised at the staff-student liaison meeting.
 - (b) Where the complaint concerns the conduct of a member of the academic or support staff the complaint should normally be made to the Programme Leader.
 - (c) Where the complaint concerns a Programme Leader it should normally be made to another Programme Leader or the Director of Programmes.
 - (d) Exceptionally, the serious nature of the complaint may justify making a formal complaint (see below) without first making an informal complaint.

Responding to the Informal Complaint

12. The person to whom the complaint is made will seek to resolve the matter informally as soon as possible and normally within 15 working days of the complaint being made. In seeking to resolve the matter they may liaise with other members of staff.
13. Where the complaint is against a member of staff or another student, the member of staff or student concerned will be told of the complaint against them and given the opportunity to respond to it. In exceptionally serious cases, and in particular where disciplinary action against a member of staff or student may be necessary, the student may be asked to make a formal complaint.
14. If the student is not satisfied that the matter has been resolved by the informal process he/she may make a formal complaint.

Formal Complaint

Making the complaint

15. A formal complaint must be made in writing on the prescribed Formal Complaint Form available on the Virtual Learning Environment (VLE), from the Student Advice team and from the Office of Regulation and Compliance (ORC). A complaint not submitted in the prescribed form may not be accepted.
16. The formal complaint form should be posted (postal address can be found on the formal complaint form) or emailed to the ORC (ORC@bpp.com). The complaint must detail what informal attempts have been made to resolve it, for example, with the Personal Tutor, Programme Leader, Student Records Office or Student Finance Office. The student must also provide any documentation or evidence that they are relying on to support the complaint, and detail the remedy they seek.

17. Formal complaints may be made where:
 - (a) the student is not satisfied that the matter has been resolved by the informal process;
 - (b) the student is asked to lodge a formal complaint because of the possibility of disciplinary action being taken against a member of staff or student;
 - (c) because of the serious nature of the complaint, the student elects to make a formal complaint without first making an informal complaint.

Responding to the Complaint

18. A member of the ORC, or a senior person appointed by the ORC, will investigate the formal complaint. They shall have no material interest in the outcome of the complaint and shall not be bound by legal rules of evidence.
19. Students should normally expect to receive an acknowledgement of the receipt of the complaint within five working days on receipt of a completed formal complaint form, and the outcome of the investigation into the formal complaint in writing normally within 28 working days. Students will be informed if, for any reason, there is likely to be a delay in the process.
20. The ORC will decide the most appropriate procedure to investigate the complaint. Where the complaint is against a member of staff or another student, he/she will be approached and given the opportunity to respond to the complaint.
21. In order to investigate the complaint, the student may be contacted for further information or clarification.
22. A person appointed by the ORC to investigate the complaint will report his/her findings and recommendations and the ORC will notify the student in writing (normally by email) of the outcome of the complaint, any relevant information that informs the findings and the action, if any, to be taken.
23. The outcomes of a complaint may include the complaint being:
 - (a) upheld in whole with a statement as to the remedy;
 - (b) upheld in part with a statement as to the remedy and an explanation regarding those parts dismissed;
 - (c) dismissed with a statement as to the reasons.
24. If the student is satisfied with the written response from the ORC, the complaint is deemed to be resolved.
25. The ORC will be responsible for ensuring that any recommendations or agreed actions arising from complaints are communicated to the relevant University officer and for recording and confirming the action taken.

Appeals against the Outcome of a Formal Complaint

26. A student who considers that their formal complaint has not been properly investigated under the formal complaints procedure may appeal to the Vice-Chancellor, (vicechancellor@bpp.com), to review their complaint. There is no prescribed form.
27. Appeals to the Vice-Chancellor against the outcome of a formal complaint will only be considered where:
 - (a) there were procedural irregularities in the investigation of the formal complaint; or
 - (b) new evidence can be presented which could not reasonably have been available to the investigator of the formal complaint.
28. Where the appeal does not satisfy at least one of the grounds and is rejected, ORC shall issue a Completion of Procedures Letter.
29. In order for the Vice-Chancellor to consider the appeal, the student must specify:
 - (a) the grounds on which the complaint should be reviewed; and
 - (b) the resolution that the student seeks; and either:
 - (i) the procedural irregularities that occurred in the investigation of the formal complaint; or
 - (ii) the new evidence that has become available that was not considered in the original investigation.

If the Vice-Chancellor is not provided with all of this information, he or his nominee may dismiss the appeal for lack of grounds.

30. The appeal must be sent to the Vice-Chancellor within 10 working days of the notification of the outcome of the formal complaint. It will only be considered outside the 10 working day timeframe if there are good reasons for not complying, which are supported by objective and authoritative evidence.
31. The Vice-Chancellor, or nominee, will review how the formal complaint has been investigated and the decision reached. The form and conduct of the review is at the discretion of the Vice-Chancellor, or nominee. The student will be notified of the outcome of the review in writing by the Vice-Chancellor, or nominee, (normally by email) within 28 working days of receipt of the appeal. The Students will be informed by Vice-Chancellor, or his nominee if, for any reason, there is likely to be a delay in the process.
32. The Vice-Chancellor, or nominee, may as a result of his/her investigation:
 - (a) confirm the outcome of the formal complaint; or
 - (b) substitute his/her own decision for that of the original investigator; or
 - (c) order a new investigation.

33. Where the Vice-Chancellor, or nominee, confirms the original outcome of the formal complaint there shall be no further mechanism for appeal and the University's internal complaints procedure shall be deemed to have been exhausted. The student will then be issued with a 'Completion of Procedures Letter' by the ORC.
34. Where the student has exhausted the University's internal procedures and remains dissatisfied with the outcome, he or she may refer their complaint to the Office of the Independent Adjudicator (OIA). The OIA is an independent body established by Government to run an independent student complaints scheme for universities in England and Wales.
35. The student must refer their complaint to the OIA within 12 months of the date of the Completion of Procedures Letter.
36. For more information about the OIA and the procedure for submitting a complaint, students can visit the OIA website at www.oiahe.org.uk.