

Student Complaints Policy and Procedures

2019-20

Index

<u>1.</u>	<u>Introduction</u>	<u>3</u>
<u>2.</u>	<u>Scope</u>	<u>3</u>
<u>3.</u>	<u>Applicability of this policy</u>	<u>3</u>
<u>4.</u>	<u>Principles</u>	<u>4</u>
<u>5.</u>	<u>Relationship to other Procedures</u>	<u>4</u>
<u>6.</u>	<u>Responsibilities</u>	<u>5</u>
<u>7.</u>	<u>Advice</u>	<u>6</u>
<u>8.</u>	<u>Process</u>	<u>6</u>
	8.1 Informal Procedure: local resolution	6
	8.2 Formal Procedure: Stage 1	6
	8.3 Formal Procedure: Stage 2	7
<u>9.</u>	<u>Completion of Procedures</u>	<u>8</u>
<u>10.</u>	<u>Remedies</u>	<u>8</u>
<u>11.</u>	<u>Referrals</u>	<u>8</u>
<u>12.</u>	<u>Confidentiality</u>	<u>9</u>
<u>13.</u>	<u>Related regulations, policies and procedures</u>	<u>9</u>
<u>14.</u>	<u>Review of the Student Complaints Policy and Procedures</u>	<u>9</u>
	<u>Appendix 1: Student Complaint Form</u>	<u>10</u>
	<u>Appendix 2: Student Complaint Appeal Form</u>	<u>12</u>

Committee Approval

Course Committee	N/A	
QAEC	Recommended approval	22 November 2017
Academic Committee	Approved	18 January 2018
	Date in force	18 January 2018
QAEC	Recommended approval	26 June 2019
Academic Committee	Approved	31 July 2019
	Date in force	30 September 2019

This Student Complaints Policy and Procedures will be reviewed annually by our Quality Assurance and Enhancement Committee. Any amendments require the approval of our Academic Committee.

1. Introduction

At Bloomsbury Institute, we are committed to providing our students with a transformational and high-quality educational experience within an inclusive academic community which promotes learning and personal development for all, and within which they will develop into independent and critical learners, achieve their full potential and make valuable contributions to society. It is, therefore, important to us to provide a mechanism that students can use to address any issues that they feel might prevent or be preventing us from providing this experience. This Student Complaints Policy and Procedures provides such a mechanism.

It is our policy to resolve as quickly and fairly as possible any complaint that is made by a student about: their course; a service provided by Bloomsbury Institute or a third party on behalf of Bloomsbury Institute; their treatment by another student; or their treatment by a member of our staff.

Our policy draws on guidance from the Office of the Independent Adjudicator (OIA)¹ and the Quality Assurance Agency (QAA)².

For the purposes of this policy, students are defined as those enrolled with us, including students on an interruption of study, temporary withdrawal or temporary exclusion or suspension. Former students may also submit a complaint provided that the complaint relates to a matter which occurred whilst they were a student and provided they comply with the timescales for the submission of complaints set out below.

2. Scope

This Student Complaints Policy and Procedures applies to complaints:

- From students about their educational experience, including failure on the part of Bloomsbury Institute to meet obligations outlined in Course Handbooks.
- About a service provided by Bloomsbury Institute or a third party on behalf of Bloomsbury Institute.
- About misleading or incorrect information in prospectuses or promotional material.
- Concerning discrimination by Bloomsbury Institute on the grounds of gender, race, nationality, ethnic or national origin, religious or political beliefs, disability, marital status, social background, family circumstance, sexual orientation, gender reassignment or age.
- About the behaviour of a member of staff towards a student - such complaints may be referred to the Staff Disciplinary Procedure at the discretion of Bloomsbury Institute.
- About the behaviour of a student or students - such complaints may be referred to the Student Disciplinary Policy and Procedures at the discretion of Bloomsbury Institute.
- From a student who believes that he/she has suffered an injustice as a result of action taken or not taken on behalf of Bloomsbury Institute.

The above list is not intended to be exhaustive and, where appropriate, complaints about other matters will be considered under this Student Complaints Policy and Procedures.

3. Applicability of this policy

It should be noted that we deliver validated undergraduate degrees which are developed and taught by us, but validated by our academic partner, as well as franchised postgraduate courses which are

¹ OIA, The good practice framework: handling student complaints and academic appeals (Revised December 2016)

² UK Quality Code - Advice and Guidance Concerns, Complaints and Appeals (Revised November 2018).

designed/developed and validated by our academic partner; our academic partner being the University of Northampton (UoN). Depending on the nature of a student's complaint, in some circumstances we will need to refer the complaint to UoN. In these circumstances, UoN's Student Complaints Policy and Procedures may apply.

In the event of a complaint being made by one of our students about the University of Northampton policies and procedures to which they are subject, we would aim to resolve the complaint locally through both our informal and formal procedures before referring the student to the University of Northampton Complaints Policy.

Students wishing to make a complaint should consult with Registry in the first instance who will be able to advise or seek further information as to whose complaints policy should be followed.

4. Principles

The principles which underpin this Student Complaints Policy and Procedures are:

- Students will not suffer disadvantage as a consequence of making a genuine complaint.
- Bloomsbury Institute will seek to resolve complaints as quickly as possible within the available resources and to find resolutions which are reasonable and acceptable to all parties.
- Students will be allowed reasonable time to seek guidance and assistance in connection with any aspect of the complaints process.
- All parties are expected to make reasonable efforts to resolve matters on an informal basis before moving to the formal stages of the process.
- Any investigations undertaken as part of the formal complaints process will be conducted by individuals who have no prior knowledge of the student's complaint.
- Students have the right to be accompanied by a relative or friend, who is not acting in a legal capacity, at any meeting arranged to discuss the complaint (see Section 6.12 below).
- All parties to a complaint will be kept informed at all stages of the progress of any investigations into the matters raised and will be informed in writing of the outcome of the process, the reasons for any decisions taken and any proposed remedies.
- Bloomsbury Institute will deal with complaints on a confidential basis but students should recognise that it may be necessary to disclose details of a complaint to other persons or organisations for the purposes of investigating the complaint and seeking an effective resolution.
- Where matters are within our control, we will ensure that appropriate remedial action is taken to resolve a complaint including addressing aspects of its operations which are identified through the complaints process as requiring improvement.

5. Relationship to other Procedures

Students who are enrolled on one of our degree courses, and who wish to make a complaint about academic decisions made by us and/or the University of Northampton, should appeal under the university's procedures.

Complaints about the Bloomsbury Institute's admissions process are dealt with under our Admissions Policy.

Bloomsbury Institute's Student Disciplinary Policy and Procedures covers general matters of misconduct. Complaints about student behaviour which constitutes a disciplinary offence will be dealt with under the Student Disciplinary Policy and Procedures rather than the Student Complaints Policy and Procedures.

Where it would be appropriate, student complaints about the behaviour of a member of staff may be referred for consideration under the Staff Disciplinary and Performance Procedures at any stage during the process.

It is anticipated that most complaints will be made by individual students. However, complaints from groups of students will be considered. The individuals within the group should confirm in writing their support for the complaint and identify one person who will act as spokesperson for the group and be the group's correspondent for the complaint.

Complaints made by a third party on behalf of a student will not normally be considered by Bloomsbury Institute. However, there are circumstances in which such a complaint will be considered (e.g. students with mental health issues) provided the representative is not a legal representative and provided we receive the explicit written consent of the student for the representative to act on their behalf.

Anonymous complaints will not be considered by Bloomsbury Institute since complaints require a full investigation to enable resolution and this is not possible with an anonymous complaint. In addition, there would be problems communicating the outcome of an anonymous complaint.

Complaints about Bloomsbury Institute's Student Guild are not covered by this policy. Students wishing to make a complaint about the Guild should follow the procedures set out in the Student Guild Complaints Policy and Procedures.

Bloomsbury Institute's Academic Registrar may agree that a complaint which relates to matters which occurred more than 20 working days before the complaint was submitted will be considered under the Student Complaints Policy and Procedures if the student is able to provide evidence of good reason for the delay. For example, it may be that there is a need for reasonable adjustments under the Equality Act 2010.

6. Responsibilities

We will ensure that each party involved in a complaint is given an equal opportunity to present their case.

All parties involved in a complaint are expected to act courteously, fairly and reasonably towards each other and to comply with the requirements of the procedures by completing complaints' documentation, adhering to any deadlines, responding appropriately to any requests for information or attendance at meetings and undertaking any reasonable action required in pursuance of a satisfactory remedy.

We will investigate all complaints brought under the formal part of the procedure. However, we reserve the right to refuse to consider any student complaints which are thought, after initial investigation, to be unreasonable, vexatious or malicious. Examples of such complaints include:

- Complaints that are obsessive, harassing or repetitive
- Insistence on pursuing complaints that have no merit or unreasonable or unrealistic outcomes
- Insistence on pursuing complaints (which may have some merit) in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance

If a complaint from a student is felt to fall into any of the above categories, we will write to the student to explain our reason for ceasing consideration of the complaint. We may also refer the matter to our Student Disciplinary Policy and Procedures which may result in the imposition of a disciplinary penalty.

Should we decide to take this measure, we will also provide the student with details of how to appeal against this decision.

In the case of complaints by students about staff, we will provide appropriate support to help both the student and staff member through the process.

We will report on the operation of its Student Complaints Policy and Procedures to our committees to ensure its processes are working as intended and are in the best interests of students and the institution. Anonymised summaries of student complaints and how they have been managed will be presented, from time to time, to relevant committees.

7. Advice

All students are entitled to impartial and confidential advice; if a student wishes to discuss a matter that they feel is sensitive in any way, then an Advisor in our Centre for Student Engagement, Wellbeing and Success should be approached to direct the student to appropriate advisory services. This might include an informal referral to a member of our Equality, Diversity and Inclusion Committee. Alternatively, students may prefer to approach the Student Staff Liaison Manager, or the Guild Manager who can also provide advice on appropriate support mechanisms.

Students with mental health issues will be advised of specific support services available to them both within Bloomsbury Institute and externally. If we feel that the student is unable to engage effectively with the complaints procedure, we may, exceptionally, recommend that the student appoints a representative. Alternatively, we may recommend that consideration of the complaint be suspended until the student has accessed appropriate support.

8. Process

8.1 Informal Procedure: local resolution

Students should try to resolve matters of concern informally first through approaches to appropriate personnel such as Tutors, Course Leaders, Heads of Division or Heads of Departments. In many instances, these people will be best placed to respond to the complaint and to resolve it quickly and effectively. If the complaint is not satisfactorily resolved after this discussion, the student has the right to address the issue through the formal stages of the process.

The relevant staff member involved in the informal procedure will record the actions taken to consider and resolve the concern, the decision reached, and brief details of what was communicated to the student, and when. This information can then be made available to those dealing with any formal complaint should the student decide to make one.

8.2 Formal Procedure: Stage 1

The Formal Procedure: Stage 1 is used where a student is dissatisfied with the outcome of the informal procedure, or where informal procedures are not suitable due to the nature, complexity or seriousness of the case.

The formal stages begin when a student makes a complaint in writing by completing the published Student Complaint Form (see Appendix 1). Subject to Section 5 above, the completed form, together with any written evidence, should be sent to the Academic Registrar within 20 working days of the occurrence of the matters which relate to the complaint. Written evidence may include independent medical evidence, reports by professionals, financial information or witness statements.

The Academic Registrar will log the complaint and issue an acknowledgement of receipt to the student and forward the form and any written evidence to the appropriate Head of Division or Head of Department.

An investigation into the matters complained of will be undertaken promptly by the Head of Division or Head of Department, or by a person nominated to act on their behalf as an independent investigator.

In the interests of transparency, the student will be informed who will be investigating their complaint. In order to investigate the complaint, the independent investigator may need to request further information from the student and so may ask to meet with him or her.

The Head of Division or Head of Department will provide a written response to the parties involved within 10 working days of the completion of any investigation, which itself should be completed no later than 20 working days after the receipt of the completed complaint form. If it is not possible to complete the investigation within this time period, the student will be advised in writing of the reasons for the delay together with a deadline by which it is expected that the investigation will be completed. Following completion of the investigation, the written response sent to the student will outline the process followed, the information gathered, the conclusions drawn and any remedies proposed. If the complaint is not upheld, the letter will explain why there are no grounds to take the matter further and that no action will be taken. The written response will be accompanied by copies of the information considered and a copy of the investigation report.

A record will be kept by the Academic Registrar of all formal complaints received and a copy of each written response of the Head of Division or Head of Department will be forwarded to the Academic Registrar on the same day that it is issued to the student. No records will be held on the student's file.

If the student is satisfied with the written response of the Head of Division or Head of Department, the complaint is deemed to be resolved. If the student is not satisfied with the written response he/she may refer the matter to Stage 2 of the Student Complaints Policy and Procedures. The student will be given information on how to proceed to Stage 2 of the Procedures, the deadline for doing so and where to access support within the written response from the Head of Division or Department referred to above.

8.3 Formal Procedure: Stage 2

The Formal Procedure: Stage 2 is where the student can appeal within Bloomsbury Institute for a review of either the process of the formal complaint to ensure that appropriate procedures were followed or the decision on the basis that it was perceived to be unreasonable.

In order to invoke Stage 2 of the formal Student Complaints Policy and Procedures, the student must complete the published Student Complaint Appeal Form (see Appendix 2). The completed form together with any written evidence should be sent to the Academic Registrar within 15 working days of the date of the Stage 1 outcome letter, clearly outlining the reasons for taking matters to Stage 2.

Within 15 working days from receipt of the Student Complaint Appeal Form, the Academic Registrar will review the complaint and the associated evidence. Further evidence may be requested at this stage. The outcome of the review will find either:

- that there are no grounds for taking the matter further - if this is the case, the Academic Registrar will advise the student accordingly in writing; **or**
- that there are grounds for consideration and further investigation, where appropriate - if this is the case, a Student Complaints Panel will be convened in a timely manner by the Academic Registrar to hear the complaint.

If the complaint relates to the Academic Registrar or Registry, the Academic Registrar will forward the complaint to the Academic Principal who will appoint another Head of Division or Head of Department who will undertake the Academic Registrar's review. The Head of Division or Department appointed will have no prior knowledge of or involvement with the student's complaint.

The membership of the Student Complaints Panel will consist of a Head of Division or Head of Department, who will Chair the hearing, and one member of staff from a different division or department to that of the Chair. None of the staff will have prior knowledge of or involvement with the student's complaint. All members of the Panel will have received equality and diversity training, and will be asked to read Bloomsbury Institute's Unconscious Bias Guidance Notes to assist them in their respective roles.

The student will be invited to attend the hearing and will be given adequate notice of both the date of the hearing and composition of the Panel. In addition, the student can expect to receive a copy of the

information to be considered at the hearing. The proceedings and outcome of the hearing will be minuted by a member of staff from Registry.

The student will have the right to be accompanied by a representative. The representative may be a friend or relative who is not acting in a legal capacity. The role of this person is to support and advise the student. Where appropriate, the representative may speak in support of the student. However, it is expected that the student will speak for himself or herself during the hearing.

The outcome of the hearing, including minutes of the hearing will be sent in writing to all parties within 20 working days of the hearing. If appropriate, an apology will be included together with details of any remedies proposed and deadlines for implementation of the same.

The decision of the Panel will be final and will be the end of our internal procedures.

9. Completion of Procedures

The Stage 2 hearing forms the final stage of Bloomsbury Institute's Student Complaints Policy and Procedures and we will issue the student with a Completion of Procedures letter at this point. The student then has the right to take their case to the Office of the Independent Adjudicator (OIA) and / or UoN subject to the considerations outlined below.

The Completion of Procedures letter will explain the above and the deadline the student has for lodging a complaint (namely 12 months from the date of being issued with the Completion of Procedures letter). The letter will also include information on where and how the student can access advice and support.

It should be noted, that we will fully comply with any judgement made by the OIA where the complaint relates to Bloomsbury Institute.

The position outlined in Section 9 above is true in all cases other than where the complaint is in relation to University of Northampton *policies and procedures*. In the case of the latter, we will not issue a Completion of Procedures letter upon completion of Stage 2 as it is at this point that we are required to refer the student to the University of Northampton's Student Complaints Policy. It is only when the University of Northampton has exhausted its procedures in relation to a complaint of this nature that it will issue the Completion of Procedures letter and refer the student to the OIA.

10. Remedies

Remedies for complaints include, but are not limited to, an apology, a clear explanation of the events or context that led to the incident in question, or alterations to a process or to a service provided by Bloomsbury Institute. Bloomsbury Institute seeks to ensure that any remedies proposed are reasonable and appropriate to the nature and circumstances of the complaint.

11. Referrals

Bloomsbury Institute reserves the right to refer complaints at any stage to an alternative means of resolution, including to a mediation process, if it is considered to be in the best interests of the timely and effective resolution of the complaint.

Exceptionally, with the agreement of the student and of staff concerned, complaints may be referred to one of the formal stages in the process omitting earlier informal or formal stages, if it is considered to be in the interests of the timely and effective resolution of the complaint. Such complaints might include those involving a threat of serious harm, those where the impact of the issues raised has detrimental consequences for the student's mental health, those relating to disability support, issues of a highly sensitive nature etc.

12. Confidentiality

As stated earlier, we will deal with complaints on a confidential basis, but may need to disclose details of a complaint to other persons or organisations in order to investigate the complaint and seek an effective resolution. For example, we will need to inform any person named in a complaint of the substance of the complaint so that they can exercise their right to reply as part of the investigation. In addition, we may need to divulge information to meet GDPR requirements.

Where a student has made a complaint about another student or a member of staff, we will notify the student bringing the complaint of the outcome. However, it may not be appropriate for us to share specific details affecting the other student or staff member, particularly where disciplinary action is being taken.

It is equally important that the student bringing the complaint also respects the need for confidentiality throughout the complaints process. Where confidentiality is breached the Student Disciplinary Policy and Procedures may be invoked.

13. Related regulations, policies and procedures

Internal

- Admissions Policy
- Student Disciplinary Policy and Procedures
- Student Guild Complaints Policy and Procedures

External

- University of Northampton Student Complaints Policy
- Assessment and Feedback Policy

14. Review of the Student Complaints Policy and Procedures

This Student Complaints Policy and Procedures will be reviewed annually by our Quality Assurance and Enhancement Committee. Any amendments require the approval of our Academic Committee.

Appendix 1: Student Complaint Form

Before completing this form you should read Bloomsbury Institute's Student Complaints Policy and Procedures. We urge you to try to resolve your complaint with the relevant Tutor, Course Leader, Head of Division or Head of Department before you move to the formal stages of the complaints procedure (i.e. submission of this form). If you have not raised your concern 'informally' yet, please do so before completing this form.

Please note that all sections must be completed before we can consider your complaint.

1. Your personal details

Mr/Ms/Mrs/Miss/Other:
First name:
Family name:
Student ID Number:

2. Your contact details

Address:
Postcode:
Email address:
Daytime telephone number:

3. If relevant, which Division is the subject of your complaint (i.e. Academic, Brand, Finance, Registry, Student Engagement, Wellbeing and Success, Student Recruitment and Partnerships, or Estates and Facilities)?

--

4. If relevant, which student or member of staff is the subject of this complaint?

--

5. Please outline details of your complaint below and attach any separate information that you feel is relevant to your complaint.

--

6. Please explain what steps you have taken to resolve your complaint so far. (Please enclose copies of any letters or emails relating to your complaint).

7. Please explain why you are not satisfied with the response you have received.

8. What would you like Bloomsbury Institute to do to resolve your complaint? (i.e. what reasonable solution(s) are you looking for?)

9. Your declaration and signature

I confirm that the information given on this form is true and correct and in submitting this form I understand that Bloomsbury Institute:

- Will not accept complaints from third parties or anonymous sources.
- May need to share information with other persons or organisations as part of any investigation to resolve my complaint.
- Will deal with any complaint that it believes to be malicious and unfounded under the provisions of its Student Disciplinary Policy and Procedures.

Signed

Date

Please send all of the documents/papers, including this form by post to:

**The Academic Registrar
Student Complaints
Bloomsbury Institute
7 Bedford Square
London
WC1B 3RA**

Or by email to: academicregistrar@bil.ac.uk

Please keep a copy of the completed complaint form and any associated documents for your own records.

Appendix 2: Student Complaint Appeal Form

Guidance notes

Before completing this form, you should read Bloomsbury Institute’s Student Complaints Policy and Procedures. You must only use this form to appeal against the outcome of a formal complaint you have submitted to Bloomsbury Institute under Section 8.3 of our Student Complaints Policy and Procedures.

You must attach a copy of the letter issued by Bloomsbury Institute responding to your formal complaint and complete all sections on this form before we can consider your appeal.

Section 1 – Your personal details

Mr/Ms/Mrs/Miss/Other:
First Name:
Last Name:
Student ID number:

Section 2 – Your contact details

Address:
Postcode:
Email Address:
Mobile number:

Section 3 – Your complaint

3.1 If relevant, which Division is the subject of your complaint (i.e. Academic, Brand, Finance, IT Services, LearnTech, Registry, Student Engagement, Wellbeing and Success, Student Recruitment and Partnership, or Estates and Facilities)?

--

3.2 If relevant, which student or staff member is the subject of your complaint?

3.3 Please clearly outline the reasons for your appeal below and attach any separate information that you feel is relevant to your appeal.

3.4 Please explain why you are not satisfied with the response you have received to your formal complaint.

3.5 What would you like Bloomsbury Institute to do to resolve your complaint (i.e. what reasonable solution(s) are you looking for?)

Section 4 – Your declaration and signature

I confirm that the information given on this form is true and correct and in submitting this I understand that Bloomsbury Institute:

- Will not accept complaints or appeal from third parties or anonymous sources.
- May need to share information with other persons or organisations as part of any investigation to resolve my complaint or appeal.
- Will deal with any complaint or appeal that it believes to be malicious and unfounded under the provisions of its Student Disciplinary Policy and Procedures.

Signature _____

Date _____

Please send all documents/papers, including this form by post to:

**The Academic Registrar
Student Complaints
Bloomsbury Institute
7 Bedford Square
London
WC1B 3RA**

Or by email to: academic.registrar@bil.ac.uk

Please keep a copy of the completed appeal form and any associated documents for your own records.