



**CPR QS10a Student Complaints**  
**Version 23\_01**

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**Key Related Documents**

Document Name	Location
QS10 Student Complaints and Academic Appeals Form	<a href="https://www.bcuic.navitas.com/policies">https://www.bcuic.navitas.com/policies</a> , Policy HUB
QS10b Academic Appeals	<a href="https://www.bcuic.navitas.com/policies">https://www.bcuic.navitas.com/policies</a> , Policy HUB
QS11 Student Disciplinary	<a href="https://www.bcuic.navitas.com/policies">https://www.bcuic.navitas.com/policies</a> , Policy HUB
M1a Safeguarding Children and Vulnerable Adults	<a href="https://www.bcuic.navitas.com/policies">https://www.bcuic.navitas.com/policies</a> , Policy HUB

## Introduction

This document sets out the Navitas University Partnerships Europe (UPE) policy and procedure for Student Complaints. Navitas UPE has, as part of its corporate code of practice, a commitment to continuous improvement and the UPE College\* network has demonstrated its adherence to this commitment through the implementation of a Student Complaints procedure in each College. Navitas UPE has a long history of and commitment to the provision of quality services and support to students. It recognises the importance of engaging students early in their learning experience and places immense value on the Student Voice. Working together with students our teaching and support staff are committed to providing an education and student experience that is shaped, reviewed and enhanced in spirit of partnership and co-determination.

*\*Please interpret 'College' as 'Campus' where applicable*

## Purpose

The Student Complaints procedure has been designed to allow students who are enrolled at Birmingham City University International College (BCUIC) to seek a mutually satisfactory resolution for any disadvantage, damage or distress caused by inappropriate acts, behaviour, or omissions of BCUIC or its representatives.

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

The Student Complaints Procedure for students is one aspect of the College's quality assurance procedures; Student 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 reporting to the Navitas UPE Academic Board, Navitas United Kingdom Holdings (NUKH) Board of Directors where appropriate and the College Progression Board, to ensure that outcomes and recommendations from the formal procedure are actioned.

## Definition of a Student Complaint

A Student Complaint is defined by the Office for the Independent Adjudicator of Higher Education (OIAHE), as “an expression of dissatisfaction by one or more students about something a provider has done or not done 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 a Navitas UPE College or University Partnerships Europe (UPE).

## Examples of Student Complaints

- Failure by BCUIIC to meet obligations including those outlined in learning contracts or course/student handbooks
- Misleading or incorrect information in publicity or promotional material and other information provided by BCUIIC
- Concerns about the delivery of a programme, teaching or administration provided by BCUIIC
- Poor quality of facilities, learning resources or services provided directly by BCUIIC
- Complaints involving other organisations or contractors providing a service on behalf of BCUIIC
- Some University Partners may allow students to make a Student Complaint relating to the academic provision of a Navitas UPE-run programme directly to them. In such cases, Navitas UPE will facilitate the process where possible

This list is not intended to be exhaustive and where appropriate, other matters will be considered under the Student Complaints procedure.

## Exclusions under the Student Complaints Procedure

The following Complaints cannot be made under the Student Complaints procedure:

- Student Complaints raised anonymously will not be considered under this procedure (but see 'Anonymity' section 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 (**QS10b Academic Appeals**)
- Decisions made in relation to mitigating circumstances. These are covered by the regulations for the consideration of mitigating circumstances (**QS09 Assessment**)
- Student Complaints about issues over which BCUIC has no control
- Student Complaints submitted more than two months after the act or omission being complained about are not normally considered
- BCUIC will investigate all Student Complaints as fully as possible. Therefore, students are not allowed to submit a subsequent Student Complaint if the content is substantially similar to one already considered
- Student Complaints which are covered by other procedures

## Behaviour

All parties involved in a Student Complaint are required to act reasonably, fairly and courteously towards each other and to respect the Navitas UPE procedures. In addition, any student who wishes to raise a legitimate Student Complaint should feel able to do so without fear of subsequent victimisation.

## Anonymity

Where a Student Complaint is made anonymously, normally no action will be taken. There may, however, be exceptional circumstances where the Investigating Officer deems it appropriate to take action or investigate a matter based on a Student Complaint that is made anonymously.

## Third Party Student Complaints

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

## False or Malicious Student Complaints

A false or malicious Student Complaint is defined as a Student Complaint which is patently unsustainable, having been put forward so as to abuse the process of the Student Complaints procedure or for example, to attempt to defame the name or character of another person. The College may consider invoking disciplinary procedures (**QS11 Student Disciplinary**) in cases where Student Complaints are found to be false or malicious. All such scenarios must be reported to the Navitas UPE Academic Registry.

## Student Complaints Made by Students Under the Age of 18 Years

If a Student 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 Student Complaint – generally via email or telephone. Navitas UPE 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 the agreement in writing beforehand (**M1a Safeguarding Children and Vulnerable Adults**).

## Group Student Complaints

Where a Student Complaint is brought by a group of students, one person should be prepared to identify themselves as spokesperson and correspondent for the purposes of the Formal Procedure and each member of the group must be able to demonstrate that they have been personally affected by the matter which is the subject of the Student Complaint. In addition, all complainants must agree in writing to the spokesperson acting on their behalf.

## Access to Information

Students pursuing a Student Complaint through the procedure will be entitled to apply for access to information and data pertaining to the Student Complaint, in accordance with the policies and procedures of the University Partner under the provisions of the **General Data Protection Regulation (GDPR)** (EU) 2016/679. Applications should be made in writing to the Navitas UPE Academic Registry: [UPE.AcademicRegistry@Navitas.Com](mailto:UPE.AcademicRegistry@Navitas.Com)

## Sharing of Information

Navitas UPE will only share information about your Student Complaint with other parties where disclosure is necessary in order to ensure a fair investigation and subject to your written consent.

## Accompaniment at the Complaint Hearing

The complainant, if they wish, 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.

## Student Complaints Procedure

### Definitions and Advice

The Navitas UPE Academic Registry can provide authoritative advice on how the Student Complaints procedure works, whom to approach and how to complete the Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**) and submit supporting evidence. Students may also wish to seek advice and help from their Student representative or Student Union officer.

Please note the 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 Navitas UPE”.

**A Complaint (Formal)** is “a formal statement by a student to which Navitas UPE must respond and which the student has the right to pursue if they are not satisfied with that response”.

A student should raise an issue with any member of staff at a Navitas UPE College or representative, orally or in writing and initially this will be treated as a **Concern**. If a Student

Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**) is submitted, it will be treated as a **Complaint**.

Navitas UPE should write to the student after each initiated stage, setting out the outcome and results.

### **Procedure to Deal with a Concern (Informal)**

A student should raise an issue with any member of staff at a Navitas UPE College or representative, orally or in writing and initially this will be treated as an **Informal Query**. If a Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**) is submitted, it will be treated as a **Student Complaint**.

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 College 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 a Concern exists, that procedure should be followed. A student should normally expect to receive a written or verbal acknowledgement of the Concern and the process to be undertaken within **ten working days** and a full response within **one calendar month** from the acknowledgement. This timescale may need to be extended during College vacations.

It is anticipated that most Concerns will be resolved through informal and local means and the student should be given the opportunity for early resolution at a local level. However, should a student wish to submit a Student Complaint, they should in the first instance, review whether they have fulfilled their responsibilities under the particular Navitas Policy Regulations (NPR) about which they are appealing.

### **Questions to be considered at the Concern stage:**

- Is it a Complaint or Academic Appeal?
- What is it about and who is involved?
- What outcome is the student hoping for, and is it achievable?
- Can it be resolved on the spot with an explanation, solution or apology?
- What support can be provided to the student going forward?

## Procedures to Deal with a Student Complaint - Stage 1 (Formal)

The student may invoke Stage 1 of the Formal Procedure where they are dissatisfied with the outcome of early resolution, or where early resolution is not possible. This is done by completing the Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**) and submitting it to the Navitas UPE Academic Registry: [UPE.AcademicRegistry@navitas.com](mailto:UPE.AcademicRegistry@navitas.com)

The Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**) should include the following information:

- The grounds upon which the formal Student Complaint is being made and reasons why it was not resolved informally
- Facts and evidence to support the Student Complaint
- The remedy which the student is seeking

The Navitas UPE Academic Registry will appoint an Investigating Officer to investigate the Student Complaint. Navitas UPE Academic Registry shall acknowledge receipt of the Student Complaint, normally within **ten working days**. Before proceeding further, the Investigating Officer may require further clarification of the Student Complaint.

The Investigating Officer will attempt resolution at this stage either by correspondence between the parties, negotiation with the individuals or issue about which the Student Complaint is being made and where appropriate, other senior members of the College, or facilitation of a conciliation meeting between the student concerned and those individuals involved. The circumstances of the Student Complaint will dictate which of these methods is considered most likely to result in a resolution of the Student Complaint to the satisfaction of the student.

It is anticipated that Stage 1 of the Formal Procedure would normally be completed, with a response in writing from the Navitas UPE Academic Registry, within **one calendar month** of the receipt date of the completed Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**). This timescale may need to be extended during College vacations.

Relevant complaints may be escalated to the Academic Board who will consult with the Consumer Protection Steering Committee where relevant.



## Questions to be considered at the Formal stage:

- Was Early Resolution attempted?
- Is the Complaint and the people involved clear?
- Would reference to any policies be relevant to the case?
- What outcome is the student hoping for and is it achievable?
- Has the student provided evidence?

## Procedures to Deal with a Student Complaint - Stage 2 (Review)

If the complainant is not satisfied with the response from the Investigating Officer at the Formal stage, or if a response is not received within the procedure's timescales, the complainant can appeal to a higher level within the provider for a review of the process of the Formal stage to make sure that appropriate procedures were followed and that the decision was reasonable.

To do this the complainant must write to the Navitas UPE Academic Registry within **ten working days** from the Stage 1 response letter or the deadline for the Stage 1 response if a response has not been received. The request must clearly state:

- (a) that the student would like to appeal the decision that was taken in Stage 1
- (b) the reasons why the student believes that the response is unsatisfactory
- (c) the remedy the student is seeking

Considering the substance of the Student Complaint and the previous attempts at resolution, the case will then be reviewed by the Navitas UPE Academic Registry where a decision will be made about whether the matter should be referred to a Complaint Hearing.

Should a Complaint Hearing be appropriate, a panel chaired by the UPE Director of Operations or nominee (who should not have been previously involved in the process) and consisting of two members of academic or support staff drawn from another Navitas UPE College, will be convened. The UPE Head of Academic Quality or the Head of HR Navitas UPE will act as technical advisor to the Panel.

If the Student Complaint relates to the actions of an individual member of staff, rather than an academic or service department/area, that individual has the right to be informed of the substance of the Student Complaint and to attend the Complaint Hearing and be represented.

The Complaint Hearing will meet normally within **one calendar month** (excluding College vacations) of the referral from Stage 1 and communicate its conclusions to the student and the relevant persons within one calendar month. The Chair will keep all parties informed of progress and will explain reasons for any necessary extension of the timescale, for example, if an adjournment in the proceedings is necessary.

Should a Student Complaint be upheld, the Chair of the Complaint Hearing may make recommendations/conditions to the College Management and/or Navitas UPE Senior Management. Recommendations/conditions may also be made to the College Module Panel or Progression Board in respect of quality assurance procedures or policies.

If a Student Complaint is not upheld, the complainant will be informed in writing with reasons for its rejection.

### Questions to be considered at the Review stage:

- Were the relevant procedures followed?
- Was the outcome reasonable?
- Has the student received clear reasons why the Complaint was rejected?
- Is there new evidence and if so, is there a good reason it was not provided sooner?

Any conclusions and recommendations of the Panel will be communicated in writing to the complainant, the College Director/Principal and the Navitas UPE Academic Registry. A report on each case which comes before a Complaint Hearing will also be prepared and noted by the Navitas UPE Academic Registry. The entire process from Concern to Complaint Hearing Outcome should be completed within **ninety days**.

### Timescales

Stage of Procedure	Timescale	Responsibility
<b>INFORMAL</b>		
Concern raised (Informal Student Complaint)	Anytime	Student(s)
Acknowledgement of Receipt of Informal Concern	Within <b>ten working days</b> of receipt of concern	College Representative

Written response to Concern	Within <b>one calendar month</b>	College Representative
<b>FORMAL</b>		
Submission of Student Complaints and Academic Appeals Form QS10	Within <b>two months</b> of the incident or receipt of Written Response to Concern	Student(s)
Acknowledgment of Receipt of Student Complaints and Academic Appeals Form QS10	Within <b>ten working days</b> of submission of form	Navitas UPE Academic Registry
Stage 1 Response	Within <b>one calendar month</b> of the receipt of the Student Complaint or Academic Appeals form	Navitas UPE Academic Registry
Request to progress to Stage 2	Within <b>ten working days</b> from the Stage 1 response letter or the deadline for the Stage 1 response, if a response has not been received	Student (s)
Response to Stage 2 Request - Review	Within <b>ten working days</b> of receipt of request	Navitas UPE Academic Registry
Response to Stage 2 - Review	Within <b>one calendar month</b> of referral to Stage 2	Head of Academic Quality UPE or nominee

## Time Limits

Time limits should usually be met by all parties. Time limits may be extended by the Investigating Officer where necessary to ensure a fair outcome.

## Further Review (OIAHE)

If a student has completed the Navitas UPE internal Student Complaints procedure outlined above and they are still dissatisfied with the outcome, they may be able to refer their Student Complaint to the Office of the Independent Adjudicator for Higher Education (OIAHE) providing

that the Student Complaint is eligible under the OIA's Rules and the institution recognises the OIA as a partner.

In such cases Navitas UPE Academic Registry will provide on request a letter stating that a complainant has completed the Navitas internal Complaints procedure. The letter will include information on the OIA and will comply with the OIA's guidance for a 'Completion of Procedures' letter.

## Reference Points

This policy is guided by the *OIAHE Good Practice Framework: Handling Student Complaints and Academic Appeals* and *OIAHE Delivering Learning Opportunities with Others*.

For further information:

[OIAHE Good Practice Framework](#)

[OIAHE Delivering Learning Opportunities with Others](#)

Students may refer to the OIAHE's information for students on its website [here](#).

## Policy Review

This policy will be reviewed every two years by the Navitas UPE Academic Board unless there are internal or legislative changes that necessitate earlier review. The policy was last reviewed on 19 April 2023 and approved as a Chair's action on behalf of the UPE Academic Board.