

## International College at Robert Gordon University CPR QS10: Student Appeals and Grievances Version 1.17

### 1. Introduction

This document sets out the policy and procedure for student appeals against the decision of Module Boards or Progression Boards, and for student complaints where they hold grievances about aspects of their learning experience.

### 2. Appeals

- 2.1 An 'appeal' is a process of review of an examination or major coursework assignment (the latter with a module weighting of over 30%).
- 2.2 Generally, all appeals are made on informal grounds and provide students and staff the opportunity to query a recommendation or decision made by either a College Learning and Teaching Board or a College Module Panel. Queries may be made on:
  - The result of an individual module.
  - Completion of a stage or part of a programme.
  - Progression to the next stage of a programme.
  - Entitlement to an award.
- 2.3 No formal restriction is placed on the nature of queries, including those which amount to requests for confirmation, clarification or elaboration of a recommendation or decision. However, each query should be noted to the College Learning and Teaching Board. Note that the College may not be able to answer all possible questions or provide as full a response as may be desired by the candidate raising the query.
- 2.4 The College will deal with any review under the legal context for Data Protection, see NPR M2.
- 2.5 The grounds on which candidates are permitted to lodge an appeal are:
  - That the examiner/s has/have been advised **beforehand** of medical or other extenuating circumstances which were likely to have adversely affected the candidate's performance, but failed to appreciate their significance when arriving at their decision or recommendation.
  - That there were medical or other extenuating circumstances which were likely to have adversely affected the candidate's performance, and which the candidate was unable for valid reasons to disclose before the examiners arrived at their decision or recommendation.
  - That there was a material administrative error or procedural irregularity at some stage of the assessment process or that the examinations or other assessments were not conducted in accordance with the approved programme regulations, or that some other material irregularity or procedural irregularity relevant to the assessments occurred.
  - That there was unfairness or impropriety on the part of one or more of the examiners.
- 2.6 Candidates wishing to lodge an appeal must complete Form QS10.1 and submit it to the College Director/Principal within 5 days of the exam results being published.

### 3. Grievances

- 3.1 The protocols of Navitas' equity and equal opportunity policies dictate that students of the College have the right to lodge a grievance/complaint and that all such a lodgement will be given due and equitable consideration.
- 3.2 A complaint or grievance is defined as an oral or written expression of dissatisfaction about an aspect of a service or facility, as outlined in the NPRs or Student Handbook, which is provided to enrolled students of the College.
- 3.3 Principles and Scope
- 3.3.1 This complaints procedure is for use by students enrolled with the College and is handled by the College. If, however, issues remain unresolved through these local complaints procedures, then the Quality and Standards Office (QaSO) may be consulted or may take a process forward. Note that the Partner University's complaints procedure cannot be invoked nor referral to the University be made in any way.
- 3.3.2 The procedure aims to be simple, clear and fair to all parties involved, with informal resolution an option at any point.
- 3.3.3 Complaints will be handled sensitively and with due consideration to confidentiality for both students and staff. Any person named in a complaint will be informed of the substance of the complaint and will have the right to reply as part of the investigation. Information contained within the complaint will be made available only to those members of staff involved in its resolution. The College Learning and Teaching Board will be informed of the complaint with immediate effect.
- 3.3.4 No student bringing a complaint under this procedure, whether successful or otherwise, will be treated less favorably by any member of staff than if the complaint had not been brought. If evidence to the contrary is found in this regard the member of staff may be subject to disciplinary proceedings under this policy.
- 3.3.5 It is expected that, except in exceptional and fully documented circumstances, a student who wishes to make a complaint will invoke the Informal Stage within one calendar month of the incident which is the cause for complaint.
- 3.3.6 Separate procedures exist for the following:
- (i) All academic matters relating to examination and assessment performance and outcomes, see NPR QS9.
  - (ii) Academic misconduct, assessment offence and disciplinary issues NPR QS11.
  - (iii) Racial, sexual and other forms of harassment, covered by the Navitas UK policy: *Bullying, Harassment and Stress – A risk management approach*.
  - (iv) Allegations of discrimination, covered by the Navitas UK policy: *Equal Opportunities Policy and Procedures*.
- 3.5 Protocols
- 3.5.1 Anonymous Complaints  
Where a complaint is made anonymously, normally no action will be taken. There may, however, be exceptional circumstances where the College or QaSO deems it appropriate to take action or investigate a matter on the basis of a complaint that is made anonymously.
- 3.5.2 Third Party Complaints  
No investigation of a 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 complaints made by the parent or spouse of the student concerned.
- 3.5.3 Complaints to the Vice Chancellor or other members of staff at the Partner University.  
Should a complaint be received by the Vice Chancellor, or other staff at the Partner University, it will be referred directly and immediately to the College Director/Principal who will ensure that it is considered through the Complaints Procedure at the College. The College Director/Principal must also inform the QaSO.
- 3.5.4 Vexatious or Malicious Complaints  
A vexatious or malicious complaint is defined as a complaint which is patently unsustainable, having been put forward so as to abuse the process of the complaints procedure or, for example, to attempt to defame the name or character of another person. The College may consider invoking disciplinary procedures in cases where complaints are found to be vexatious or malicious. All such scenarios must be reported to QaSO.
- 3.5.5 Complaints made by students under the age of 18 years

If a 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 Learning and Teaching Board will notify the parents or guardians of the student in writing, and keep them informed of the progress of the complaint – generally via email or telephone. The Board or QaSO 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 agreement in writing beforehand (see NPR M1).

#### 3.5.6 Group complaints

Where a complaint is brought by a group of students, one person should be prepared to identify him/herself as spokesperson and correspondent for the purposes of the Formal Procedure, and each member of the group must be able to demonstrate that he/she has been personally affected by the matter which is the subject of the complaint. In addition, all complainants must agree in writing to the spokesperson acting on his/her behalf.

#### 3.5.7 Changes to Policies or Procedures

The complaints procedure may not be appropriate if the complaint concerns the process or content of an established College policy or procedure, as QaSO reserves the right to change either at any time. Such complaints must be resolved against the current policy or procedure in operation. It is incumbent upon the College to ensure that all updated policies and procedures are published to students at all times.

#### 3.5.8 Accompaniment at the complaint hearing

The complainant, if he/she wishes, may be accompanied at the 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.

#### 3.5.9 Access to Information

Students pursuing a complaint through the procedure will be entitled to apply for access to personal data in accordance with the policies and procedures of the University under the provisions of the Data Protection Act 1998 and other legislation. Applications should be made in writing to the College Learning and Teaching Board or the QaSO via the Director of Learning and Teaching Quality Navitas UK.

#### 3.5.10 Reimbursement of Expenses.

If a complaint is upheld, the College will meet any reasonable 'out of pocket' expenses connected with the formal stage of the procedure, on production of receipts; this may include travel and subsistence costs in connection with the student's attendance at a complaint hearing.

#### 3.5.11 Monitoring, evaluation and review.

The College Learning and Teaching Board will oversee the tracking of complaints progressed through the complaints procedure and will ensure that records show the nature of the complaint, how it was dealt with, the time taken for each part and the outcome. This will be reported to QaSO.

3.5.12 The complaints procedure for students is one aspect of the College's quality assurance procedures; 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 semester reporting to the QaSO and, where appropriate, the College Progression Board, to ensure that outcomes and recommendations from the formal procedure are actioned.

### 3.6 Procedure

3.6.1 The procedure is divided into two parts: an Informal Procedure, which emphasises resolution at the 'local' point where the complaint arose, and a Formal Procedure, which involves the QaSO as facilitator of the procedure. The role of QaSO is to ensure that the Formal Procedure is operated according to due process via the College Learning and Teaching Board and with regard to the pertaining timescales, aiming to resolve complaints as quickly as possible and to the satisfaction of the complainant.

#### 3.6.2 Informal Procedure

It is anticipated that most complaints will be resolved through informal and local means. Students wishing to complain should, in the first instance, review whether they have fulfilled their responsibilities under the particular CPR or service about which they are complaining. Once a complaint has been received, resolution should be sought from the area in which the complaint arose, by discussing the complaint with the most appropriate member of staff (e.g. the academic sessional) or the Support Services Officer. In those areas where a local procedure to deal with complaints exists, that procedure should be followed. A student should normally

expect to receive a written or verbal acknowledgement of the complaint and the process to be undertaken within 10 working days and a full response within one calendar month. This timescale may need to be extended during College vacations.

### 3.6.3 Formal Procedure

#### Part I

- a) If the response to the complaint under the informal procedure is considered by the student to be unsatisfactory, he/she may invoke Part I of the Formal Procedure by completing the Complaint Form (Form QS10.2), and submitting it to QaSO. The form should detail the aspect of the CPR or service which the student believes has not been fulfilled and why this is the case, or other serious grounds for complaint, together with a statement of what has been done by the student to attempt resolution with the person/s involved, and why action taken by the College Learning and Teaching Board following notification of the complaint has been inadequate. The form of resolution or redress sought should also be clearly indicated. The Director of Learning and Teaching Quality Navitas UK will acknowledge receipt of Form QS10.2 within five working days.
- b) QaSO will attempt resolution at this stage either by correspondence between the parties, negotiation with the individuals or issue about which the 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 complaint will dictate which of these methods is considered most likely to result in a resolution of the complaint to the satisfaction of the student.
- c) It is anticipated that Part I of the Formal Procedure would normally be completed, with a response in writing from QaSO, within one calendar month of the receipt date of the completed Complaint Form. This timescale may need to be extended during College vacations.

#### Part II (Appeal Stage)

- a) If the response to the complaint following completion of the Part I procedure is considered by the student to be unsatisfactory, he/she may invoke Part II (Appeal Stage) of the Formal Procedure by a request in writing, within 10 working days from the date of the notification of the outcome of Part I. The request should be addressed to the Director of Learning and Teaching Quality Navitas UK, outlining why the outcome of Part I is not satisfactory. Taking into account the substance of the complaint and the previous attempts at resolution, the case will then be reviewed by the College Board and where a decision will be made about whether the matter should be referred to a Complaint Hearing.
- b) Should a Complaint Hearing be appropriate, a panel chaired by the Executive General Manager Navitas UK and consisting of two members of academic or support staff drawn from another Navitas UK College will be convened. The Director of Learning and Teaching Quality Navitas UK or the HR Support Manager Navitas UK will act as technical adviser to the Panel.
- c) If the 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 complaint and to attend the Complaint Hearing and be represented.
- d) The Complaint Hearing will meet normally within one calendar month (excluding College vacations) of the referral from Part I, 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.
- e) Should a complaint be upheld, the Chair of the Complaint Hearing may make recommendations/conditions to the College Learning and Teaching Board. Recommendations/conditions may also be made to the College Module Panel or Progression Board in respect of quality assurance procedures or policies.
- f) If a complaint is not upheld, the complainant will be informed in writing with reasons for its rejection.
- g) Any conclusions and recommendations of the Panel will be communicated in writing to the complainant, the College Board, and QaSO.
- h) A report on each case which comes before a Complaint Hearing will be prepared by the Chair for the College Learning and Teaching Board and the Module Panel, to assist in monitoring the effectiveness of the complaints procedure and to identify relevant quality assurance issues. This will also be passed to QaSO and be noted to the Senior Leadership Team Navitas UK.

### 3.6.4 Awareness

The College Learning and Teaching Board will organise activities to raise awareness of the complaints procedure, and how it is to be used, amongst the student body. Student services team will also provide support and guidance for departments/areas in handling complaints and resolving them as close as possible to their point of origin.

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