StudyGroup

Student Complaints & Appeals Policy

Academic year 2022 / 2023

qae

Quality Assurance & Enhancement Office

StudyGroup

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Complaints & appeals policy

Introduction

Study Group is committed to providing a high-quality student experience through the educational services it offers its students at its International Study Centres (ISCs), in collaboration with our Higher Education Institutional (HEI) partners.

However, it is recognised that students will sometimes become dissatisfied with a service we have provided or failed to provide. We know that there may be disagreement regarding progression decisions, the outcome of a refund request or how the regulations have been applied. There may also be occasions where students have grounds to appeal a decision made by a module or programme assessment board.

This document has been written for students, and Study Group colleagues, to outline the policy regarding any student complaint or academic appeal. It also gives more detail on how each complaint or appeal should be considered by detailing each stage of the processes. Regardless of when you use this document (whether it is from early consideration through to formal resolution and review) it has been designed to provide you with information about how an appeal or complaint can be made and what each person involved in the process can expect.

Should you have any questions that are raised as a result of considering the information in this document, please contact the named person at your ISC who can deal with appeals and complaints, or the Quality Assurance and Enhancement Office at qae@studygroup.com.

Section 1 - Complaints

Introduction

1. The ISC/IC seeks at all times to provide the highest possible level of service. However, there may be occasions when a registered student feels that the level of service has not been good enough. The emphasis of the procedure is on addressing the complaint and arriving at an acceptable outcome as quickly as possible. Complaints will be taken seriously, and will be investigated thoroughly. Where necessary, swift and effective action will be taken to resolve the complaint and every effort will be made to prevent a recurrence. Where, however, a complaint is made with mischievous or malicious intent this will be viewed seriously and may result in disciplinary action. The ISC/IC will fulfil its obligations to the individual(s) against whom a complaint is made and investigations will be undertaken impartially.

2. Students who raise complaints should note that:

   - they will not suffer any disadvantage as a result of making the complaint;
   - everyone who responds to, investigates or adjudicates upon complaints is required to do so impartially and will not be permitted to act in any matter in which they have a material interest or in which any potential conflict of interest may arise;
   - privacy and confidentiality will be respected as far as possible at all stages of the process; and
   - complaints will be considered on their own merits and on their particular facts and circumstances so that natural justice may be done.

3. Students are expected to put their name to any complaint they make. If a student does not wish for their name to be disclosed, they may request that the investigator(s) anonymise their complaint. The investigator(s) will only agree to do so if there are good and sufficient reasons for doing so. Complaints which are made anonymously are difficult, and sometimes inappropriate or impossible, to investigate. However, they may be considered at the discretion of the ISC/IC.

4. The ISC/IC and/or Quality Assurance and Enhancement Office will keep a record of complaints and will use the outcomes to inform future service provision.

Formal & informal complaints

5. A complaint is an expression of dissatisfaction by one or more students about the Study Group's (the provider) action or lack of action, or about the standard of service provided by or on behalf of the provider.

6. An Appeal, as opposed to a complaint, is made where a student feels that an academic process has not been followed or where there is a grievance on academic grounds. Appeals against academic judgement will not be heard.

7. Students should refer to the Appeals section below for details of what constitutes grounds for appeal.

8. Students should refer to the 'Student Disciplinary Policy' if they wish to appeal the outcome of a disciplinary case.

9. If a student is unclear which procedure to follow, they should seek guidance from a member of staff at the ISC/IC.

Stage 1: Informal complaint

10. The normal expectation is that students try to resolve a minor complaint or concern about the provision of a service (whether academic or non-academic) informally with the person or persons providing the service. The issue should be raised as early as possible in order that a prompt resolution may be achieved. In some instances, it may be more appropriate to pursue the complaint or concern informally with the Head of Centre/Centre Director.

11. If a student feels happier discussing any concerns they may have, in confidence, before deciding whether or not to pursue a complaint, their personal tutor (or other member of ISC staff) will be there to help. The emphasis of discussion will be on arriving at a satisfactory resolution of the complaint as quickly as possible, rather than on making a judgment about who is right or wrong.

12. Questions the Provider may consider in attempting early resolution of a complaint could include:

    - What specifically is the concern about, and which area(s) of the Provider is/are involved?
    - What outcome is the student hoping for and how can it be achieved?
    - Is the concern straightforward and likely to be resolved with little or no investigation?
    - Can it be resolved on the spot by providing, where appropriate, an explanation, an alternative solution or an apology?
    - Can someone else assist in seeking resolution, for example where an informal administrative resolution is required?
    - Would it be helpful to use confidential mediation or conciliation, and are the student and provider willing to do so?
    - What assistance or support can be provided to the student in taking this forward?

Record Keeping

13. The ISC/IC should keep a record of each informal complaint including details of any discussions with the complainant/relevant members of staff and relevant email exchanges/written communication. This information may be required for any future investigation.

14. If a complaint has not been resolved to the student's satisfaction through informal discussion the student has declined to engage with early resolution, or the student believes that the complaint is of a more serious nature, then they have the right to make a formal written complaint to the Head of Centre/Centre Director using the Stage 2 Student Complaint form.

Stage 2: formal complaint

15. Where it has not been possible to resolve matters satisfactorily at source, or the complainant feels unable to make direct contact with the person responsible, the matter should be taken to the Head of Centre/Centre Director, indicating what reasonable steps the complainant would like to see taken to resolve the matter. The complainant should put the complaint in writing and should use the Stage 2 Student Complaint form for this purpose.

16. Complaints will not be accepted from third parties unless written confirmation has been submitted by the student granting the Provider permission to liaise with the third party as their representative in the matter.

17. Where a complaint affects a number of students, those students may submit a 'group complaint'. In such circumstances, the group must nominate a representative to act on their behalf and through which the Provider will liaise / correspond.

18. A complainant should be provided with an acknowledgement of receipt and given an indication by the Head of Centre/Centre Director of the timescale likely to be required to investigate, reach a resolution on the complaint and report back to the complainant (should be within 20 working days of receipt). The investigation should be completed as swiftly as possible, and the complainant should be notified in the event of any delay in the process.

19. Meetings may be arranged between the complainant (and/or their representative) and the Head of Centre/Centre Director or other appropriate authority within the Centre to discuss the matter. The Head of Centre/Centre Director should ensure that relevant members of staff are involved at all stages of the process and are informed of the outcome of investigation of the complaint. This may involve, for example, members of staff against whom a complaint is made. A written record of any meetings held should be retained by the Head of Centre/Centre Director.

20. As part of the process of attempting to establish the facts of the complaint, the Head of Centre/Centre Director may decide to hold a separate meeting with the person(s) against whom the complaint is made (and who may be accompanied by a colleague or Union officer) and may also interview any material witnesses. A written record of the meeting should be retained by the Head of Centre/Centre Director.

21. In circumstances where it is necessary for the Head of Centre/Centre Director to meet with the person(s) against whom a complaint is made, the personal details (including name) of any witness statements submitted as part of the complaint must not be divulged to the person(s) against whom the complaint has been made.

22. Key questions the Head of Centre/Centre Director may consider when a Stage 2 formal complaint is received could include:

23.
- Is this a complaint or academic appeal? Should the student be referred to another procedure?
- Was early resolution attempted? If not, should the matter be referred back to that stage?
- Has the student set out clearly what the complaint is about and which area(s) of the Provider is/are involved?
- Has the student provided evidence in support of the complaint? (Not always possible or applicable)
- What outcome is the student hoping for and can it be achieved?
- Is the complaint suitable for mediation or conciliation?
- What assistance or support can be provided to the student in taking this forward?

24. Some complaints may require the Head of Centre/Centre Director to take particularly swift action. These may include, but are not limited to:

- Complaints involving a threat of serious harm
- Cases where the impact of the issues raised has detrimental consequences for the student's mental health or where the student displays significant distress
- Complaints relating to disability support
- Issues of serious and repeated service failure and/or significant delay
- Issues of a highly sensitive nature

25. Recommendations may be forwarded by the Head of Centre/Centre Director to the University Partnerships Director should a second opinion be required.

26. The complainant (and/or their representative) will be advised in writing of the actions taken to investigate the complaint, the outcome of the investigation (with a clear explanation of the reason/s the complaint has been rejected, where applicable) and confirmation of the student's right to escalate the complaint for review by an Independent University Partnerships Director (via the Quality Assurance and Enhancement Office – see below) should the student remain dissatisfied.

27. Should the complainant choose or neglect to escalate the complaint to the Quality Assurance and Enhancement Office (Stage 3) within 10 working days of the date of the Head of Centre/Centre Director's outcome letter, a COP letter may be issued upon request by the student. The letter will explain that the Provider's internal processes have not been completed. COP letters will not be issued at this stage unless specifically requested by the complainant.

Record keeping

28. The Head of Centre/Centre Director should keep a full record of each formal complaint including the Stage 2 complaint form, details of any discussions with the complainant/relevant members of staff, relevant email exchanges and written communication. This information may be required for any future investigation.

29. Upon completion of Stage 1, the Head of Centre/Centre Director (or nominated Professional Services staff member) should upload the full case file to the secure complaints repository on Huddle (including scans of any hard copies). The title of the file should be comprised of the following in the order specified:

    - Prefix - an identifier specific to the ISC/IC (e.g., 'RHUL', 'LJMU', or 'LUISC')
    - Name - student name (full)
    - Number - case number (specific to the case not the student).

30. The QAE office will, on a regular basis, use the case files uploaded to the secure Huddle repository to maintain a central log of all formal complaints.

Stage 3: Independent review

31. If the complainant remains dissatisfied with the outcome of the investigation of their formal complaint and they wish for there to be a) a review of procedures followed at the formal stage 1, b) a review of whether the outcome was reasonable, or c) if they wish to submit new material evidence which they were unable, for valid reasons, to provide earlier in the process, they may escalate the complaint to the independent University

Partnerships Director who will review the steps taken and decision made by the Head of Centre/Centre Director.

32. The student should complete a Stage 3 Student Complaint form and submit it to the Quality Assurance and Enhancement Office (academicregistry@studygroup.com) within **10 working days** of the date on the Stage 2 outcomes letter from the Head of Centre/Centre Director. The Quality Assurance and Enhancement Office will acknowledge receipt, undertake administrative arrangements with respect to the Stage 3 complaint and notify the student of any anticipated delays.

33. The Quality Assurance and Enhancement Office will check a) whether the complaint is based on acceptable grounds (as indicated above 6.1) and b) whether the complaint has been submitted within the required timeframe (see above). If not, the complainant will a) be informed in writing that the complaint will not be heard because there are no grounds, (and will be advised of their right to complain to the Office of the Independent Adjudicator (OIA) if they are studying in England or Wales, the Irish Council for International Students (ICOS) or Citizens Information if they are studying in Ireland or the Scottish Public Services Ombudsman (SPSO) if they are studying in Scotland)) or b) be informed in writing that the complaint will not be heard because it was submitted outside the permitted timeframe without reasonable cause.

34. If the Stage 3 complaint has been submitted on acceptable grounds and within the permitted timeframe, the Quality Assurance and Enhancement Office will appoint an independent University Partnerships Director from the Study Group network to review the complaint. The University Partnerships Director will not be directly connected to the ISC/IC in question to ensure impartiality.

35. The review stage (Stage 3) will not usually consider the issues afresh or involve a further investigation. A complaint must have been considered at the Stage 2 level before it can be escalated to the review stage.

36. The Independent University Partnerships Director may request additional information/clarification from the relevant Head of Centre/Centre Director in order to assist in their review and may, at their discretion, convene a small panel (of suitably independent staff) to assist them in their decision.

37. Key questions the independent University Partnerships Director may consider when a Stage 3 escalated complaint is received could include:

- Were the relevant procedures followed during the Stage 2 Formal Complaint process?
- Was the outcome reasonable in all the circumstances?
- Has the student received clear reasons why the complaint was rejected at Stage 2?
- If new material evidence has been provided, has the student given valid reasons for not supplying this earlier?

38. The independent University Partnerships Director will provide the complainant with written confirmation of the outcome of their review within **20 working days** of receipt of the escalated complaint (Stage 3 form).

39. If the complaint has not been upheld the outcome of the review should be communicated to the student in writing by issuing a Completion of Procedures (COP) letter as soon as

possible and within **20 working days**. The letter should include a clear explanation and outline the reasons for the decision in straightforward language. *(see the Office of the Independent Adjudicator's website for COP Letter Guidance)*

40. The COP letter should also advise the student about their right to submit a complaint to the Office of the Independent Adjudicator, the time limit for doing so and where to access advice in this regard *(see below)*.

41. If the Stage 3 complaint has been submitted on the basis of new material evidence and the Independent University Partnerships Director is satisfied that the appellant has given valid reasons for not supplying the evidence earlier, the appeal will be referred back to the Head of Centre/Centre Director for further consideration, giving them the opportunity to review their initial decision in light of the new evidence. The independent University Partnerships Director will inform the appellant of the referral in writing within **20 working days** of receipt of the Stage 3 complaint.

42. If the complaint is upheld, (the independent University Partnerships Director may overturn the Head of Centre/Centre Director's decision made at Stage 2), the complainant should be informed in writing with an explanation of how and when any remedy will be implemented. (The letter should be issued within **20 working days** of receipt of the escalated complaint – Stage 3 form).

43. If the complaint is upheld a COP letter may be issued if requested by the student but will not be issued otherwise.

Record Keeping

44. The Quality Assurance and Enhancement Office should keep a full record of each Stage 3 complaint including the Stage 3 complaint form, details of any discussions with the complainant/relevant members of staff, relevant email exchanges and written communication. This information may be required for any future investigation.

45. Upon completion of Stage 3, the Independent University Partnerships Director should provide the Quality Assurance and Enhancement Office with the full case file in order for it to be stored securely and all relevant updates to be made to the central log.

Office of the Independent Adjudicator for Higher Education (OIA)

46. The Office of the Independent Adjudicator for Higher Education (OIA) is an independent body set up to review students' complaints against universities (and other qualifying Education providers) within England and Wales.

47. Once a student's complaint has been considered through the above complaints process (both stages 1,2 and 3) or appeals process (see below), they have the right to lodge a complaint with the OIA should they remain unsatisfied with the final decision.

48. The OIA will only consider complaints from students who are (or were, for former students) on a Higher Education course and who have completed the provider's internal complaints or appeals process.

49. The OIA will only consider student complaints received within 12 months of the completion of the provider's internal complaints or appeals processes.

50. The OIA will NOT consider complaints about academic judgement, frivolous or vexatious complaints or complaints that have been dealt with before by the OIA. There are other restrictions to the types of complaints the OIA will consider and full details can be found on the OIA's website (see below).
51. For full details of the OIA's processes and procedures (including their complaint form), please refer to the OIA's website: www.oiahe.org.uk

Frivolous or Vexatious Complaints

52. The Provider reserves the right to terminate consideration of a complaint if it is considered to be frivolous or vexatious. Examples of such complaints include:

    - Complaints which are obsessive, harassing or repetitive
    - Insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes
    - Insistence on pursuing what may be meritorious complaints in an unreasonable manner
    - Complaints which are designed to cause disruption or annoyance
    - Demands for redress which lack any serious purpose or value

53. Should the Provider determine (at Stage 2 or Stage 3) that a complaint is frivolous or vexatious, the complaint handler will inform the student in writing (within **20 working days** of receipt of the Stage 2 or Stage 3 complaint) that consideration has been terminated and the reasons for this decision. The student will also be informed of their right to escalate the matter to the Academic Registrar for further consideration if they remain dissatisfied, and the method by which to do so.

54. To escalate the matter, the student should re-submit full documentation (all formal complaint forms completed at Stage 2 and/or 3, all supporting evidence and the complaint handler's letter confirming that consideration of the complaint has been terminated) to academicregistry@studygroup.com for the attention of the Academic Registrar. The student should specify that they are escalating the matter for further consideration.

55. Any escalations to the Academic Registrar must be made within **10 working days** of the date of the original complaint outcomes letter and an acknowledgement of receipt will be provided.

56. The Academic Registrar will provide the student with written confirmation of their decision within **20 working days** of receipt of the escalation. In the event of any delay, the student will be informed in writing.

57. If the escalation has not been upheld the outcome should be communicated to the student in writing by issuing a Completion of Procedures (COP) letter as soon as possible and within **20 working days**. The letter should include a clear explanation and outline the reasons for the decision in straightforward language. *(see the Office of the Independent Adjudicator's website for COP Letter Guidance).*

58. The COP letter should also advise the student about their right to submit a complaint to the Office of the Independent Adjudicator, the time limit for doing so and where to access advice in this regard.

59. If the escalation has been upheld, (the Academic Registrar may overturn the complaint handler's original decision), the student should be informed in writing (within **20 working days**), with an explanation of how and when any remedy will be implemented.

60. If the escalation is upheld a COP letter may be issued if requested by the student but will not be issued otherwise.

Record Keeping

61. The Quality Assurance and Enhancement Office should keep a full record of each escalation including all relevant submission forms, details of any discussions with the complainant/relevant members of staff, relevant email exchanges and written communication. This information may be required for any future investigation.

62. Upon completion of the escalation, the Academic Registrar should provide the Quality Assurance and Enhancement Office with the full case file in order for it to be stored securely and all relevant updates to be made to the central log.

Section 2 – Appeals

Introduction

63. An Appeal is made where a student feels that an academic process has not been followed or where there is a grievance on academic grounds. Appeals against academic judgement will not be heard.

64. Appeals can also be made against decisions made by Academic Misconduct Panels and Mitigating Circumstances outcomes.

65. Complaints, as opposed to appeals, are expressions of dissatisfaction about the provider's (Study Group's) actions or lack of action, or about the standard of service provided by or on behalf of the provider.

66. Students should refer to the Complaints section above for further details.

67. Students should refer to the 'Student Disciplinary Policy' if they wish to appeal the outcome of a disciplinary case.

68. If a student is unclear which procedure to follow, they should seek guidance from a member of staff at the ISC/IC.

Who can appeal

69. All students have the right to appeal, however it is not possible to appeal against matters of academic judgement.

70. A student may not appeal before formal notification of the results is given (in the case of an academic appeal) or before outcomes are formally confirmed (in the case of an academic misconduct or mitigating / extenuating / personal circumstances appeal).

71. If a student intends to appeal against a progression decision, he or she will not normally be allowed to progress before the appeal is heard.

72. Students should initiate the appeal on their own behalf. Exceptionally, where there are special circumstances, an appeal may be made on a student's behalf by a nominated representative, providing written confirmation has been submitted by the student granting the Provider permission to liaise with the third party as their representative in the matter.

73. Where an appeal affects a number of students, those students may submit a 'group appeal'. In such circumstances, the group must nominate a representative to act on their behalf and through which the Provider will liaise / correspond.

Grounds for appeal

74. All appeals against a decision of an assessment board must be made on at least one of the following grounds:

    - Procedural irregularities in the assessment process (including alleged administrative error which could have led the assessment board to reach a different conclusion to that which they might have reached had the error not been made);
    - inadequate assessment;

- prejudice or bias on the part of the examiners; and / or
- medical, personal or other circumstances which affected a student's performance of which the examiners were unaware at the time of the assessment.

75. All appeals against the decision of an Academic Misconduct Panel must be made on at least one of the following grounds:

- Procedural irregularities in the consideration of the case;
- prejudice or bias on the part of the staff considering the case; and / or
- an unreasonable case outcome. (Decision and/or penalty applied).

76. All appeals against the outcome of a mitigating / extenuating / personal circumstances claim must be made on at least one of the following grounds:

- Procedural irregularities in the consideration of the claim;
- prejudice or bias on the part of the staff considering the claim; and / or
- relevant additional material evidence which could not reasonably have been submitted at the time the claim was made.

77. Appeals against the exercise of academic judgment will not be heard. If a student does not understand why they have received a lower mark than expected, they should contact the person responsible for the class and ask for feedback on their performance.

78. The guiding principles for the consideration of an appeal are: timely decision making; openness and transparency of decision-making, and proper recording of the reasons for the decision; the impartiality of the decision makers; the possibility of review and the availability of representation, and the opportunity for both sides to have their views taken into account.

79. Failure to operate to the timescales defined in these procedures does not in itself constitute grounds for an appeal decision to be invalid.

Implications for progression

80. Where an academic appeal is pending, the appellant will normally be allowed to continue to attend classes subject to the agreement of the assessment board (or its nominee) in order not to prejudice their studies if the Appeals Committee upholds the appeal. However, should the Appeals Committee not uphold the appeal, the student may subsequently be asked to leave the classes.

81. Where an appeal relating to the final modules is pending, the appellant will not normally be permitted to progress.

Stage 1: Appeals to ISC/IC Appeals Committee

Timing and format of appeals

82. All appeals, together with supporting documentary evidence, should normally be lodged in writing with the Head of Centre/Centre Director within 10 working days of the issuance of the Record of Results (in the case of academic appeals) or outcomes are formally

confirmed (in the case of an academic misconduct or mitigating / extenuating / personal circumstances appeal).

83. Appeals should be addressed in the first instance to the Head of Centre/Centre Director and delivered to the ISC/IC Administration Office.

84. Appeals should be set out on the Stage 1 Student Appeals Form available from the ISC/IC Administration Office. All supporting documentation must be securely attached. As well as setting out in full the grounds on which the appeal is founded, the appellant should state the outcome(s) sought (e.g., a further attempt at failed examinations).

85. Where an appeal is based on circumstances that the appellant might reasonably have been expected to have brought to the attention of the ISC/IC before the meeting of the MAB, PAB or Academic Misconduct Panel, such as ongoing medical or personal circumstances, the appellant should explain why these were not brought to the notice of the ISC/IC at an earlier date.

86. An appeal submitted by the appropriate deadline will be heard within **20 working days** of its receipt by the ISC/IC Administration Office unless there are abnormal circumstances surrounding the case. The appellant will be informed in writing if any delays are anticipated.

Procedure for the consideration of appeals

87. The ISC/IC will send out an acknowledgement within **5 working days** of receipt of an appeal during the term and **10 working days** out with terms. Any unavoidable delays in addressing the appeal (e.g. the absence of the individual(s) required to provide a response) will be notified at as early a date as possible.

88. On receipt of the documentation, the Head of Centre/Centre Director, will check a) whether the student has provided sufficient information for the Appeals Committee to make a decision, b) whether the grounds for appeal (as indicated above) have been met and c) whether the appeal has been submitted within the required timeframe (see above). If not, the appellant will a) be asked to submit further information, b) be informed in writing that the appeal will not be heard because there are no grounds, (and will be advised of their right to appeal to the Quality Assurance and Enhancement Office), or c) be informed in writing that the appeal will not be heard because it was submitted outside the permitted timeframe.

89. The Head of Centre/Centre Director is only permitted to determine whether or not the appeal meets the grounds specified above, gather sufficient information from the appellant to proceed or determine that the appeal has been submitted outside the permitted timeframe. The Head of Centre/Centre Director is not permitted to make a judgement with respect to the appeal itself. Only the Appeals Committee is permitted to make judgements as to whether an appeal is upheld or not upheld (see below).

90. If there are grounds for appeal, the ISC/IC will send a copy of the appeal documentation to the relevant tutor or their nominee(s) to comment on the appeal. These individuals may consult colleagues or investigate the appeal as appropriate. In particular, they will wish to consult any colleague named in the appeal.

91. Where an appeal alleges inadequate assessment, bias or prejudice on the part of staff acting as an examiner, the Head of Centre/Centre Director may consult colleagues or

investigate the appeal as appropriate. In particular, he or she will wish to consult any colleague named in the appeal.

92. An Appeals Committee at ISC/IC level will be set up taking care to ensure impartiality in membership with regard to the individual appeals under consideration. Anyone who has previously been involved in a particular case (in whatever capacity) cannot be involved in the decision-making process regarding the outcome of an appeal. The ISC/IC may source panel members from other ISC/ICs in the network if it is necessary to ensure impartiality.

93. The Appeals Committee should take care to consider and respond to all the grounds for appeal presented by the student and, if appropriate, explain why certain grounds were not considered on the basis of relevance.

94. Where it is deemed necessary, the Appeals Committee may also invite the appellant to attend a meeting in order to discuss the appeal. At the Committee's discretion, remote attendance may be facilitated.

95. At least **5 working days** before the meeting is due the appellant will be notified in writing of the date, time, venue and other arrangements for the meeting, (such as instructions on how to join the meeting remotely, if applicable).

96. The appellant has the right to be accompanied and/or to be represented at the meeting by a person of their choice (subject to the agreement of that individual). The appellant must notify the Appeals Committee of the name of any individual who will be accompanying them or representing them at the meeting.

97. As Academic Appeals procedures are internal to the Provider it is not appropriate for a student to be legally represented at a meeting of the Appeals Committee, except in the most exceptional circumstances.

98. The appellant will be given adequate opportunity to explain the ground(s) of appeal and the meeting will be conducted as follows:

- the appellant (or representative) speaks to the salient aspects of the appeal;
- if the appellant wishes to introduce new grounds at the meeting, the committee will consider whether such new grounds can be admitted; and
- the committee may put questions to the appellant.

99. The appellant will be informed in writing of the decision of the Appeals Committee within **20 working days** of the initial submission to the ISC/IC Administration Office. The appellant (and/or their representative) will be advised in writing of the outcome of the investigation (with a clear explanation of the reason/s the appeal has been rejected, where applicable) and confirmation of the student's right to escalate the appeal for review to the Quality Assurance and Enhancement Office should they remain dissatisfied.

100. If the appeal is upheld, the appellant should be informed in writing with an explanation of how and when any remedy will be implemented. (The letter should be issued within **20 working days** of receipt of the appeal by the ISC/IC Quality Assurance and Enhancement Office).

101. Should the appellant choose or neglect to escalate the appeal to the Quality Assurance and Enhancement Office (Stage 2) within **10 working days** of the date of the Appeals Committee outcome letter, a COP letter may be issued upon request by the student. The letter will explain that the Provider's internal processes have not been completed. COP letters will not be issued at this stage unless specifically requested by the appellant.

Record Keeping

102. The ISC/IC Administration Office should keep a full record of each Stage 1 appeal including the Stage 1 appeal form, details of any discussions with the appellant/relevant members of staff, records from the Appeals Committee, relevant email exchanges and written communication. This information may be required for any future investigation.

103. Upon completion of Stage 1, the Head of Centre/Centre Director (or nominated Professional Services staff member) should upload the full case file to the secure appeals repository on Huddle (including scans of any hard copies). The title of the file should be comprised of the following in the order specified:

- Prefix - an identifier specific to the ISC/IC (e.g., 'RHUL', 'LJMU', or 'LUISC')
- Name - student name (full)
- Number - case number (specific to the case not the student).

104. The Quality Assurance and Enhancement Office will, on a regular basis, use the case files uploaded to the secure Huddle repository to maintain a central log of all formal appeals.

Stage 2: Independent Appeal Review

Grounds for review

105. If a student is dissatisfied with the outcome of the Stage 1 appeal, they have the right to escalate the appeal to the Quality Assurance and Enhancement Office for an Independent Appeal Review. All such, appeals must be made on at least one of the following grounds:

- new material evidence which the student was unable, for valid reasons, to provide at earlier stages;
- bias or prejudice on the part of those who dealt with the appeal at the Appeals Committee;
- a consideration of whether the outcome was reasonable in all the circumstances;
- breach by the ISC/IC Appeals Committee of the procedure set out in the Complaints & Appeals Policy

Timing and format of independent review

106. An appeal to the Quality Assurance and Enhancement Office (Stage 2) may be lodged only after written notification has been given of the outcome of a Stage 1 appeal.

107. All appeals to the Quality Assurance and Enhancement Office, together with any supporting documentary evidence, must be lodged in writing (to academicregistry@studygroup.com) within a period of **10 working days** from the date

on the letter informing the appellant of the outcome of the Stage 1 appeal. Appeals received after this period will not be accepted without the prior agreement of the Quality Assurance and Enhancement Office, and in any event only where good reason is given for such an extension.

108. Appeals to the Quality Assurance and Enhancement Office should be set out in writing on the Stage 2 Student Appeal Form and should be addressed to the Academic Registrar. As well as setting out in full the grounds on which the appeal is founded, the appellant should also state the outcome(s) sought (e.g. a further attempt at failed examinations).

109. The appeal to the Quality Assurance and Enhancement Office must be supported by copies of the Stage 1 Student Appeal Form, the response received from the ISC/IC Appeals Committee and all available and appropriate evidence (e.g. medical certificates). Copies of these may, if necessary, be obtained from the ISC/IC Administration Office.

110. An acknowledgement of receipt will be sent to the appellant within **5 working days**. Any unavoidable delays in addressing the appeal (e.g. the absence of the individual(s) required to provide a response) will be notified at as early a date as possible.

Procedure for independent appeal review

111. The Quality Assurance and Enhancement Office will check a) whether the appeal is based on acceptable grounds and b) whether the appeal has been submitted within the required timeframe (see above). If not, the appellant will a) be informed in writing that the complaint will not be heard because there are no grounds, (and will be advised of their right to complain to the Office of the Independent Adjudicator (OIA) if they are studying in England or Wales, the Irish Council for International Students (ICOS) or Citizens Information if they are studying in Ireland or the Scottish Public Services Ombudsman (SPSO) if they are studying in Scotland)) or b) be informed in writing that the appeal will not be heard because it was submitted outside the permitted timeframe without reasonable cause.

112. If the Stage 2 appeal has been submitted on acceptable grounds and within the permitted timeframe, the Quality Assurance and Enhancement Office will appoint an independent and senior member of staff from the Study Group network to review the appeal. The senior member of staff will not be directly connected to the ISC/IC in question to ensure impartiality.

113. The review stage (Stage 2) will not usually consider the issues afresh or involve a further investigation. An appeal must have been considered at the Stage 1 level before it can be escalated to the review stage.

114. The Independent Reviewer may request additional information/clarification from the ISC/IC Appeals Committee in order to assist in their review and may, at their discretion, convene a small panel (of suitably independent staff) to assist them in their decision.

115. Key questions the Independent Reviewer may consider:

- Were the relevant procedures followed during the Stage 1 appeal?
- Was the outcome reasonable in all the circumstances?

- Has the student received clear reasons why the academic appeal was rejected at Stage 1?
- If new material evidence has been provided, has the student given valid reasons for not supplying this earlier?

116. If the appeal is not upheld the outcome of the review should be communicated to the student in writing by issuing a Completion of Procedures (COP) letter as soon as possible and within **20 working days** of receipt of the Stage 2 appeal. The letter should include a clear explanation and outline the reasons for the decision in straightforward language. *(see the Office of the Independent Adjudicator's website for COP Letter Guidance)*

117. The COP letter should also advise the student about their right to submit a complaint to the Office of the Independent Adjudicator (OIA) (if they are studying in England or Wales, the Irish Council for International Students (ICOS) or Citizens Information if they are studying in Ireland or the Scottish Public Services Ombudsman (SPSO) if they are studying in Scotland)) the time limit for doing so and where to access advice in this regard, (or for validated provision, the student's right to escalate the appeal to the partner University).

118. If the Stage 2 appeal has been submitted on the basis of new material evidence and the Independent Reviewer is satisfied that the appellant has given valid reasons for not supplying the evidence earlier, the appeal will be referred back to the ISC/IC Appeals Committee for further consideration, giving them the opportunity to review their initial decision in light of the new evidence. The Independent Reviewer will inform the appellant of the referral in writing within **20 working days** of receipt of the Stage 2 appeal.

119. If the Independent Reviewer upholds the Stage 2 appeal, (the Independent Reviewer may overturn the Appeals Committee's decision made at Stage 1), the appellant should be informed in writing with an explanation of how and when any remedy will be implemented. (The letter should be issued within **20 working days** of receipt of the Stage 2 appeal).

120. If the appeal is upheld, a COP letter may be issued if requested by the student but will not be issued otherwise.

Record Keeping

121. The Quality Assurance and Enhancement Office should keep a full record of each Stage 2 appeal including the Stage 2 appeal form, details of any discussions with the appellant/relevant members of staff, relevant email exchanges and written communication. This information may be required for any future investigation.

122. Upon completion of Stage 2, the Independent Reviewer should provide the Quality Assurance and Enhancement Office with the full case file in order for it to be stored securely and all relevant updates to be made to the central log.

Office of the Independent Adjudicator

123. The Office of the Independent Adjudicator for Higher Education (OIA) is an independent body set up to review students' complaints against universities (and other qualifying Education providers) within England and Wales.

124. Once a student's appeal has been considered through the above appeals process (both Stages 1 and 2, and any partner University process in the case of validated provision,) or complaints process (see top of document), they have the right to lodge a complaint with the OIA should they remain unsatisfied with the final decision.

125. Students normally need to have completed the above appeals process before complaining to the OIA. a "Completion of Procedures Letter" will be sent when the end of our processes is reached and there are no further steps to be taken internally. If the *appeal* is not upheld, a Completion of Procedures Letter will be automatically issued. If the appeal is upheld or partly upheld a Completion of Procedures Letter can be requested if wanted. more information about Completion of Procedures Letters can be found here: https://www.oiahe.org.uk/providers/completion-of-procedures-letters

126. The OIA will only consider complaints from students who are (or were, for former students) on a Higher Education course and who have completed the provider's internal complaints or appeals process.

127. The OIA will only consider student complaints received within 12 months of the completion of the provider's internal complaints or appeals processes.

128. The OIA will NOT consider complaints about academic judgement, frivolous or vexatious complaints or complaints that have been dealt with before by the OIA. There are other restrictions to the types of complaints the OIA will consider and full details can be found on the OIA's website (see below).

129. For full details of the OIA's processes and procedures (including their complaint form), please refer to the OIA's website: Students - OIAHE

Frivolous or Vexatious Appeals

130. The Provider reserves the right to terminate consideration of an appeal if it is considered to be frivolous or vexatious. Examples of such appeals include:

- Appeals which are obsessive, harassing or repetitive
- Insistence on pursuing non-meritorious appeals and/or unrealistic, unreasonable outcomes
- Insistence on pursuing what may be meritorious appeals in an unreasonable manner
- Appeals which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose or value

131. Should the Provider determine (at Stage 1 or Stage 2) that an appeal is frivolous or vexatious, the appeal handler will inform the student in writing (within **20 working days** of receipt of the Stage 1 or Stage 2 appeal) that consideration has been terminated and the reasons for this decision. The student will also be informed of their right to escalate the matter to the Academic Registrar for further consideration if they remain dissatisfied, and the method by which to do so.

132. To escalate the matter, the student should re-submit full documentation (all formal appeal forms completed at Stage 1 and/or 2, all supporting evidence and the appeal handler's letter confirming that consideration of the appeal has been terminated) to

academicregistry@studygroup.com for the attention of the Academic Registrar. The student should specify that they are escalating the matter for further consideration.

133. Any escalations to the Academic Registrar must be made within **10 working days** of the date of the original appeal outcomes letter and an acknowledgement of receipt will be provided.

134. The Academic Registrar will provide the student with written confirmation of their decision within **20 working days** of receipt of the escalation. In the event of any delay, the student will be informed in writing.

135. If the escalation has not been upheld the outcome should be communicated to the student in writing by issuing a Completion of Procedures (COP) letter as soon as possible and within **20 working days**. The letter should include a clear explanation and outline the reasons for the decision in straightforward language. *(see the **Office of the Independent Adjudicator's website for COP Letter Guidance**).*

136. The COP letter should also advise the student about their right to submit a complaint to the Office of the Independent Adjudicator, the time limit for doing so and where to access advice in this regard.

137. If the escalation has been upheld, (the Academic Registrar may overturn the appeal handler's original decision), the student should be informed in writing (within **20 working days**), with an explanation of how and when any remedy will be implemented.

138. If the escalation is upheld a COP letter may be issued if requested by the student but will not be issued otherwise.

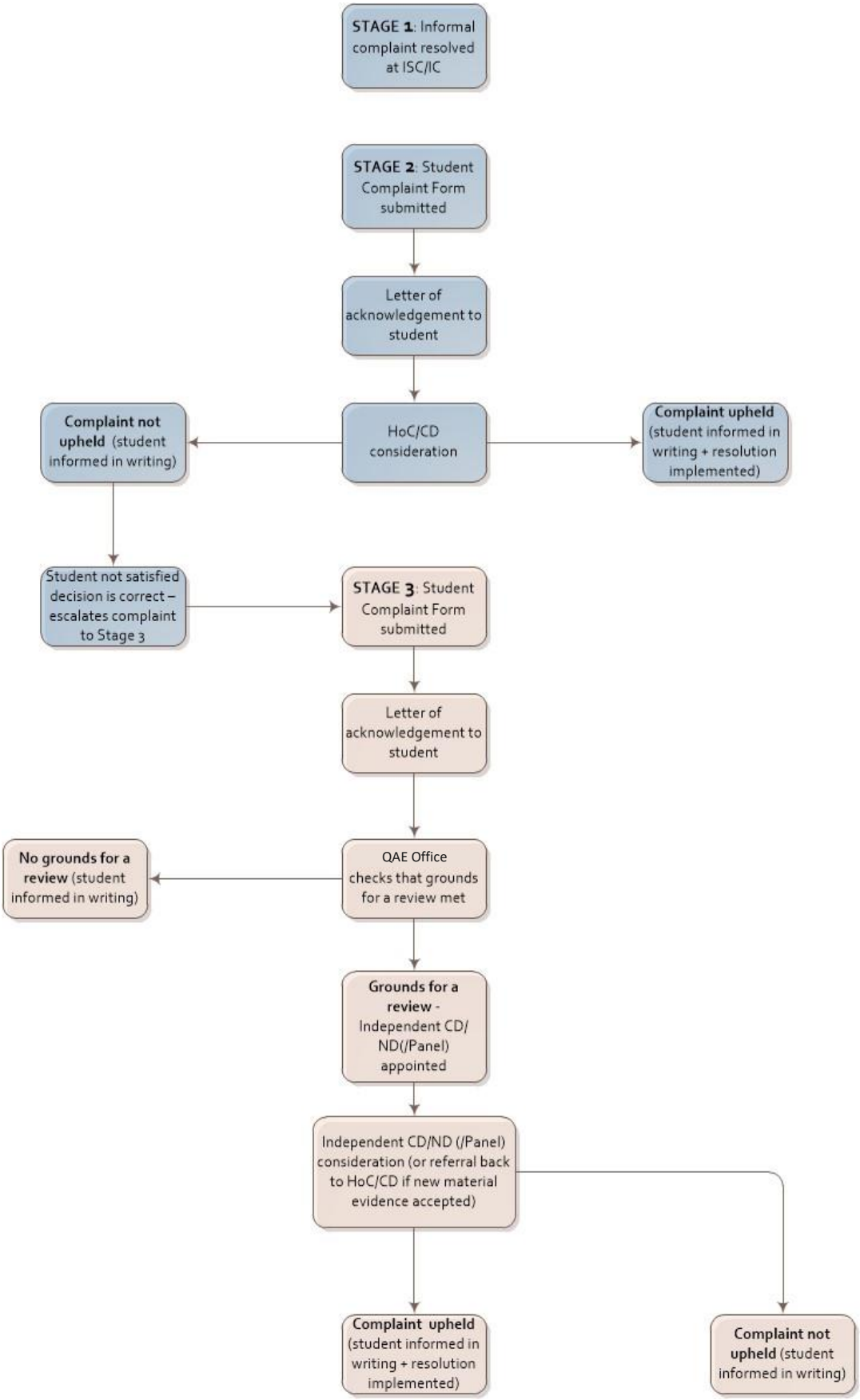
Record Keeping

139. The Quality Assurance and Enhancement Office should keep a full record of each escalation including all relevant submission forms, details of any discussions with the appellant/relevant members of staff, relevant email exchanges and written communication. This information may be required for any future investigation.

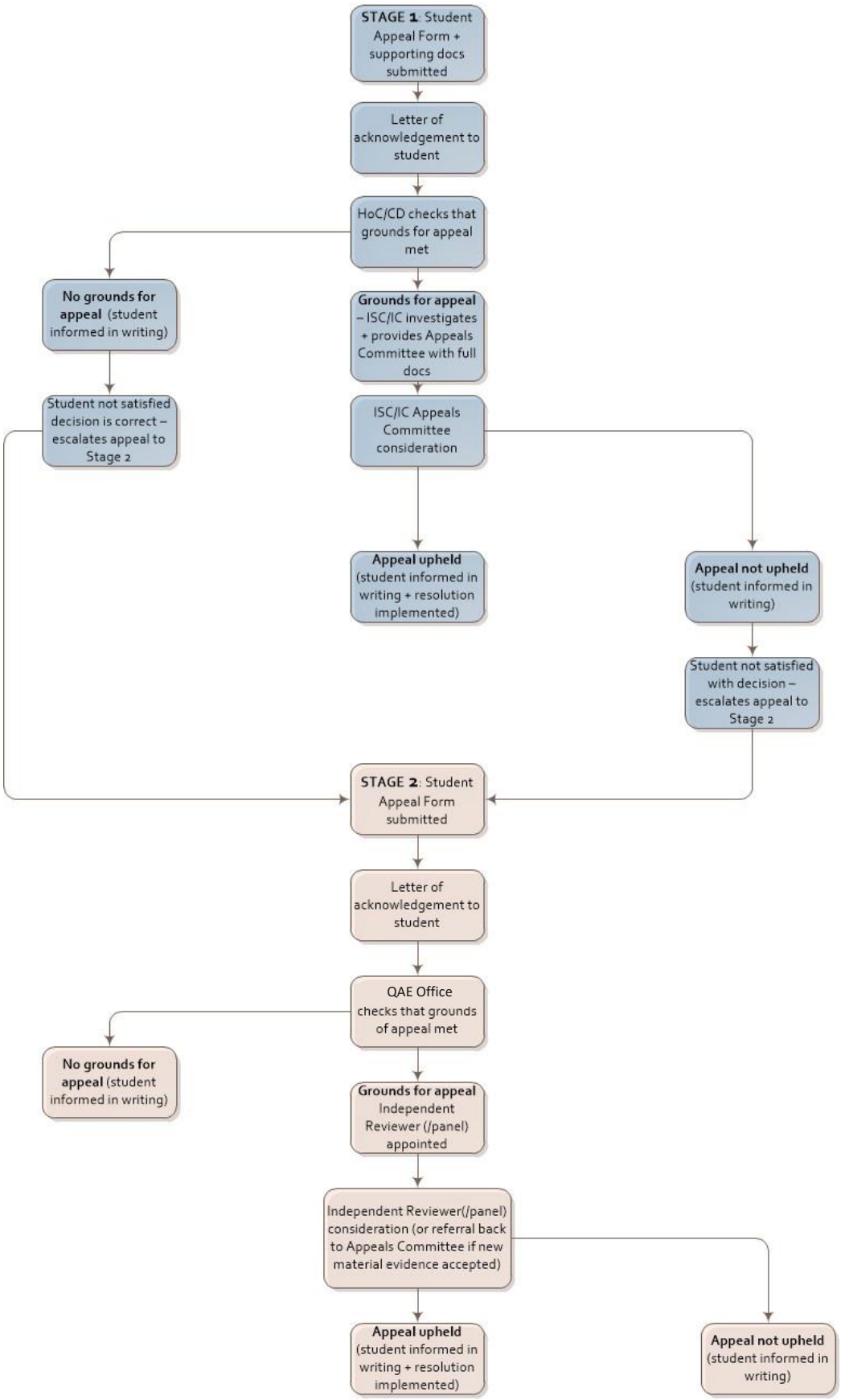
140. Upon completion of the escalation, the Academic Registrar should provide the Quality Assurance and Enhancement Office with the full case file in order for it to be stored securely and all relevant updates to be made to the central log.

Appendix A – Process flowchart

Appendix Ai – Complaints process flowchart



Appendix Aii – Appeals process flowchart



Appendix B - Complaint & appeal forms

Appendix Bi - Stage 2 Student Complaint Form

This form should be used by students are dissatisfied with the level of service provided by Study Group through its network of International Study Centres (ISC). You should, in the first instance raise any concern or complaint with your Personal Tutor (or other member of ISC staff). Hopefully your concern can then be resolved quickly and easily. However, if you have not got a satisfactory resolution at this stage of the complaints process, you can escalate your concern using this form. We ask you to read the Student Complaints & Appeals Policy **(INSERT LINK)** before submitting this form so that you are aware of the process and the different outcomes that can be reached.

This form has been designed to be completed electronically. However, should you wish to complete the form by hand, please print it on plain white paper and complete the sections using a black pen.

Once you have completed this form it (together with your supporting evidence) should be submitted to the Administration Office at your International Study Centre.

Part 1: Your details

Full Name	
Click or tap here to enter text.	
Correspondence Address	
Click or tap here to enter text.	
Email	**Phone**
Click or tap here to enter text.	Click or tap here to enter text.
Student Number	
Click or tap here to enter text.	
Programme of study	
Click or tap here to enter text.	
Date form submitted	
Click or tap to enter a date.	

Part 2: Details of your representative (if applicable)

If you wish to make a formal (Stage 2) complaint but feel unable to act on your own you may appoint a representative to act on your behalf. **However, you must sign this form yourself**. Once you have decided to have a representative we will only correspond with that person. If you change your mind about having a representative, you will need to notify us in writing.

Please check the box if you wish to appoint a representative and include their details below:

☐ **I confirm that I wish the person named below to act on my behalf**

Full name	
Click or tap here to enter text.	
E mail Address	Phone
Click or tap here to enter text.	Click or tap here to enter text.

Part 3: Details of your complaint

When completing this section please include details of why you wish to make a formal complaint and any actions you have already taken regarding the complaint. If you have attempted to resolve the issue informally, please provide details of any members of staff you have spoken to (ie. Head of Centre / Administration Office). Alternatively, if you feel the complaint cannot be resolved by the early resolution part of the process, please explain why.
Click or tap here to enter text.

Part 4: Desired outcome

Please explain what you are looking for to be satisfied that your complaint has been addressed and/or resolved:
Click or tap here to enter text.

Please indicate if you would be willing to consider mediation or conciliation:

- ☐ **Yes** *- I would be willing to consider mediation or conciliation*
- ☐ **No** *- I would not be willing to consider medication or conciliation*

Part 5: Declaration

I confirm that I have read the Student Complaints & Appeals Policy and I hereby declare that, to the best of my knowledge, the information I have provided is true and correct. I also understand that any wilful dishonesty may lead to disciplinary action.

Student Signature
Click or tap here to enter text.
Date
Click or tap to enter a date.

Appendix Bii - Stage 3 Student Complaint Form

This form should be used by students who remain dissatisfied with the outcome of their Stage 2 formal complaint and who wish to escalate the matter for further consideration. We ask you to read the Student Complaints & Appeals Policy **(INSERT LINK)** before submitting this form so that you are aware of the process and the different outcomes that can be reached. We also strongly advise you to consult your Personal Tutor (or other member of International Study Centre staff) prior to submitting this form to ensure you have all the relevant advice and guidance regarding this issue.

This form has been designed to be completed electronically. However, should you wish to complete the form by hand, please print it on plain white paper and complete the sections using a black pen.

Once you have completed this form please submit it, along with copies of the following documents to the Quality Assurance and Enhancement Office:

- ☐ **your Stage 2 Student Complaint form;**
- ☐ **the supporting evidence you submitted at Stage 2;**
- ☐ **any new supporting evidence** (optional)**; and**
- ☐ **copies of the communication you received from the International Study Centre at the culmination of Stage 2**

Part 1: Your details

Full Name	
Click or tap here to enter text.	
Correspondence Address	
Click or tap here to enter text.	
Email	Phone
Click or tap here to enter text.	Click or tap here to enter text.
Student Number	
Click or tap here to enter text.	
Programme of study	
Click or tap here to enter text.	
Date form submitted	
Click or tap to enter a date.	

Part 2: Details of your representative (if applicable)

If you wish to make a Stage 3 complaint but feel unable to act on your own you may appoint a representative to act on your behalf. **However, you must sign this form yourself**. Once

you have decided to have a representative we will only correspond with that person. If you change your mind about having a representative, you will need to notify us in writing.

Please check the box if you wish to appoint a representative and include their details below:

☐ ***I confirm that I wish the person named below to act on my behalf***

Full name	
Click or tap here to enter text.	
E mail Address	**Phone**
Click or tap here to enter text.	Click or tap here to enter text.

Part 3: Reasons for escalating to stage 3

Please give the reasons why you are dissatisfied with the Centre/Colleges response and wish to escalate your complaint on one or more of the following grounds: • *a review of procedures followed at stage 2:* • *a review of whether the outcome was reasonable:* • *to submit new material evidence which I was unable, for valid reasons, to provide earlier in the process:*
Click or tap here to enter text.

Part 4: Desired outcome

Please explain what you are looking for to be satisfied that your complaint has been addressed and/or resolved:
Click or tap here to enter text.

Please indicate if you would be willing to consider mediation or conciliation:

☐ **Yes** *- I would be willing to consider mediation or conciliation*
☐ **No** *- I would not be willing to consider medication or conciliation*

Part 5: Declaration

I confirm that I have read the Student Complaints & Appeals Policy and I hereby declare that, to the best of my knowledge, the information I have provided is true and correct. I also understand that any wilful dishonesty may lead to disciplinary action.

Student Signature
Click or tap here to enter text.
Date
Click or tap to enter a date.

Appendix Biii - Stage 1 Student Appeal Form

This form should be used by students who feel that an academic process has not been followed or where there is a grievance on academic grounds. Appeals can also be made against decisions made by Academic Misconduct Panels and Mitigating Circumstances outcomes. **However, appeals against academic judgement will not be considered**. You should, in the first instance raise any concern with your Personal Tutor (or other member of ISC staff). Hopefully your concern can then be resolved quickly and easily. However, if you have not got a satisfactory resolution you can use this form to make an appeal. We ask you to read the Student Complaints & Appeals Policy **(INSERT LINK)** before submitting this form so that you are aware of the process and the different outcomes that can be reached.

This form has been designed to be completed electronically. However, should you wish to complete the form by hand, please print it on plain white paper and complete the sections using a black pen.

Once you have completed this form it (together with your supporting evidence) should be submitted to the Administration Office at your International Study Centre**. This needs to be done within 10 working days of the issuance of your Record of Results.**

Appeals received after the deadline may not be considered.

Part 1: Your details

Full Name	
Click or tap here to enter text.	
Correspondence Address	
Click or tap here to enter text.	
Email	**Phone**
Click or tap here to enter text.	Click or tap here to enter text.
Student Number	
Click or tap here to enter text.	
Programme of study	
Click or tap here to enter text.	
Date form submitted	
Click or tap to enter a date.	
Decision appealed against	
Click or tap here to enter text.	

Part 2: Grounds for appeal

Below are the two reasons that can lead to an appeal being considered, please tick which apply in your case. It is important that you only tick the grounds you have reason and evidence for.

- ☐ **Procedural irregularities in the assessment process**
- ☐ **Inadequate assessment, prejudice or bias on the part of the examiners**

Procedural irregularities can include administrative errors that led the Board of Examiners to reach a different conclusion to that which they might have reached had the error not been made. Inadequate assessment, prejudice or bias on the part of the examiners can also include instances when medical, personal or other circumstances affected your performance but which the examiners were unaware of at the time of the assessment.

Part 3: Desired outcome

Please explain what you are looking for to be satisfied that your appeal has been addressed and/or resolved:
Click or tap here to enter text.

Part 4: Declaration

I confirm that I have read the Student Complaints & Appeals Policy and I hereby declare that, to the best of my knowledge, the information I have provided is true and correct. I also understand that any wilful dishonesty may lead to disciplinary action.

Student Signature
Click or tap here to enter text.
Date
Click or tap to enter a date.

Appendix Biv - Stage 2 Student Appeal Form

This form should be used by students who remain dissatisfied with the outcome of their Stage 1 appeal and who wish to escalate the matter for further consideration. We ask you to read the Student Complaints & Appeals Policy **(INSERT LINK)** before submitting this form so that you are aware of the process and the different outcomes that can be reached. We also strongly advise you to consult your Personal Tutor (or other member of International Study Centre staff) prior to submitting this form to ensure you have all the relevant advice and guidance regarding this issue.

This form has been designed to be completed electronically. However, should you wish to complete the form by hand, please print it on plain white paper and complete the sections using a black pen.

Once you have completed this form please submit it, along with copies of the following documents to the Quality Assurance and Enhancement Office:

- ☐ **your Stage 1 Student Appeal form;**
- ☐ **the supporting evidence you submitted at Stage 1;**
- ☐ **any new supporting evidence (optional);** and
- ☐ **your Stage 1 Appeal completion letter**

Your stage 2 appeal should be sent **no later than 10 days after the date of your stage 1 appeal letter** as appeals received after the deadline may not be considered:

Part 1: Your details

Full Name	
Click or tap here to enter text.	
Correspondence Address	
Click or tap here to enter text.	
Email	**Phone**
Click or tap here to enter text.	Click or tap here to enter text.
Student Number	
Click or tap here to enter text.	
Programme of study	
Click or tap here to enter text.	
Date form submitted	
Click or tap to enter a date.	
Decision appealed against	
Click or tap here to enter text.	

Part 2: Grounds for Stage 2 appeal

Below are the four reasons that can lead to a Stage 2 appeal being considered, please tick which apply in your case. It is important that you only tick those options which you have reason and evidence for:

- ☐ **New material evidence which I was not available, for valid reasons, to provide at earlier stages.**
- ☐ **Bias or prejudice on the part of those who dealt with the appeal at the Appeals Committee.**
- ☐ **A consideration of whether the outcome was reasonable in all the circumstances.**
- ☐ **Breach by the ISC/IC Appeals Committee of the procedure set out in the Student Complaints & Appeals Policy.**

Please explain in more detail the reason/s why you feel you have grounds for a Stage 2 appeal
Click or tap here to enter text.

Part 3: Desired outcome

Please explain what you are looking for to be satisfied that your appeal has been addressed and/or resolved:
Click or tap here to enter text.

Part 4: Declaration

I confirm that I have read the Student Complaints & Appeals Policy and I hereby declare that, to the best of my knowledge, the information I have provided is true and correct. I also understand that any wilful dishonesty may lead to disciplinary action.

Student Signature
Click or tap here to enter text.
Date
Click or tap to enter a date.

Title	Student Complaints & Appeals Policy
Version	1.4
Date	06 September 2022
Author	Jessica Jetmore, Senior Quality Officer
Owner	Academic Board