

## **Academic Policy A07 Academic Grievance Policy**

### **1. Policy Statement**

SAE Institute is committed to providing a collaborative and collegial teaching and learning environment by undertaking all necessary actions to resolve complaints relating to academic decisions in a fair and expeditious manner.

### **2. Purpose**

To demonstrate a clear commitment to the receipt and proper processing of all academic grievances and subsequent appeals relating to the operations of SAE Institute.

### **3. Scope**

This policy applies to all students involved in SAE Institutes in Europe, at all campuses offering SAE Institute programmes or awards, including Licensed operations, and at all campuses providing collaborative programmes or operations with Middlesex University.

### **4. Associated Policies and Procedures**

This policy should be read in conjunction with the following policies and procedures:

- G01 Code of Conduct
- G06 Non-academic Grievance Policy
- A03 Academic Honesty Policy

### **5. Policy Definitions**

Circumstances may arise from time to time in which a student feels that the published examinations or assessment procedures have not been correctly followed and, that a review of the awarded result may be merited. A request of this nature constitutes an academic grievance. Academic grievances may also relate to decisions regarding student progress in a course of study. All other types of grievances are non-academic or general grievances.

### **6. Grounds for Lodging an Academic Grievance**

Normal grounds for lodging an academic grievance include:

- performance in an assessment suffered through illness or other factors which the student was unable to or, for valid reasons, unwilling to disclose before the results were awarded. A grievance under such grounds will normally be dismissed unless an acceptable explanation is given for not presenting the extenuating circumstances in advance of the results having been awarded;
- an assessment or an academic decision was not conducted in

accordance with the approved SAE Institute programme regulations or approved procedures;

- there was a material administrative error in the conduct of an assessment or other academic decision.

Students should also note that:

- academic grievances may normally only be made against formal decisions received in writing ie once grades for an assessment item or a module or course have been formally communicated to a student in writing or electronically.
- SAE Institute will not normally accept academic grievances based on a claim by students of ignorance of the rules or policies ie that they did not know or fully appreciate the assessment regulations and procedures, or that they were unaware of the grievance procedure, or their rights and responsibilities, which includes the process for presenting extenuating circumstances.
- if the academic grievance relates to an issue covered within or associated with the terms of a non-academic grievance, then that procedure should be fully completed before this academic grievance procedure is initiated.
- any other matters relating to rules and procedures should be raised with the Campus Academic Coordinator or the Territory Academic Coordinator in the first instance and may be dealt by way of the Non-Academic Grievance Policy.

## **7. General Stipulations**

In the event of an academic grievance by a student:

- the complainant will be given the opportunity to present their case;
- all matters arising shall be accurately documented and recorded. Records shall be maintained and treated as confidential in accordance with the SAE Institute Information Privacy Policy; no other form of recording of the proceedings shall normally be allowed;
- a written statement of the outcomes will be issued at each stage of the process giving due reasons for decisions reached;
- the complainant will have the right to have a companion present during any discussion or hearing with SAE Institute or its appointed representatives in relation to the complaint;
- legal representation is not permitted, and communications from legal representatives shall not normally be responded to;
- the complainant will not be required to meet any costs associated with lodging a grievance, provided the procedures contained herein are adhered to;
- the complainant shall not be subject to discrimination, victimisation or any other form of harassment as a result of actions taken under these guidelines.

## **8. Principles That Underpin These Grievance Procedures**

The guiding principles of these procedures are that grievances shall be:

- treated seriously and with fairness;
- dealt with quickly, simply and at the level of the specific SAE Institute campus as far as is possible;
- treated consistently across the Institute;
- subject to the principles of natural justice;
- progressed through informal and formal stages;
- dealt with and resolved wherever possible without recourse to the formal stage, and shall be without prejudice to a complainant's right to pursue available and legitimate pathways of complaint outside SAE Institute, having first exhausted the SAE Institute grievance procedure.

The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under statute or any other law.

## **9. Before an Issue Becomes a Formal Grievance**

Prior to lodging a formal grievance, students should discuss their concerns informally with the appropriate Campus Academic Coordinator; this should take place as soon as possible after formal notification to them of the grade involved.

If this does not resolve the matter, any formal grievance must be made in writing within ten days of results having been received or after they have been confirmed by an Assessment Board. It is expected that grievances with respect to results from early stages of the program will have been raised informally and resolved at that time. A formal grievance should include a detailed breakdown of the reasons for the grievance, with reference to section 6 above. Grievances should be presented, in the first instance, to the appropriate Campus Academic Coordinator or to the Territory Academic Coordinator, as appropriate.

## **10. Procedures**

### **10.1. Stage 1 - Lodging a Formal Academic Grievance**

Upon receipt of a written academic grievance:

- the matter will be considered by the Campus Academic Coordinator (CAC) or the Territory Academic Manager (TAM), as appropriate.
- if, after careful consideration, it is the judgement of the person considering the grievance (the CAC or TAM) that the grievance is not justified, due reason will be communicated in writing to the complainant and the matter will be considered closed.
- if it is the judgement of the CAC or TAM considering the grievance that the grievance is justified, the academic decision will be re-assessed by an independent assessor who was not involved in the original decision.

- in the event that the assessor finds that the original academic decision needs to be varied, appropriate action will be taken with the authority of the Territory Academic Manager.
- In all cases, SAE Institute will provide a written explanation to the complainant of the outcomes of any academic grievance and the reasons for the decision. This notification should be given in writing normally within ten days of the grievance having been received.

## **10.2. Stage 2 - Appeals**

If the complainant is not satisfied with the decision at Stage 1 of these procedures they may appeal to the next most senior academic officer normally the Senior Academic Advisor who serves as Chair of the Assessment Board. The complainant shall submit the appeal in writing within ten working days of receiving the written notification from Stage 1.

The Senior Academic Advisor having received the appeal shall:

- acknowledge its receipt within seven working days;
- inform the Territory Academic Manager that an appeal has been received;
- decide to enforce the implementation of the recommendations made at the end of Stage 1; or
- dismiss the case, giving reasons in writing; or
- seek agreement to an alternative set of recommendations; or
- determine whether there are sufficient grounds to convene a Grievance Appeal Panel and, if so, shall establish a Grievance Appeal Panel to hear the appeal and Chair the meeting.

If the Senior Academic Advisor has had any previous involvement s/he will nominate another senior staff member to deal with the appeal.

## **10.3. Convening a Grievance Appeal Panel**

- The Grievance Appeal Panel shall involve four persons. These shall be the member of staff who considered the appeal; an academic staff member with no prior involvement in the process, a student representative, and the Senior Academic Advisor as Chair or senior nominee who has had no prior involvement in the case.
- The Grievance Appeal Panel shall hear the appeal within ten working days of receipt in accordance with the procedures detailed below.
- The decision of the Panel shall be final. If necessary the Chair shall have a casting vote.
- The Chair of the Panel shall submit, within ten working days of the Panel meeting, a written report to the Territory Academic Manager and the Senior Academic Coordinator.

- The Chair of the Panel shall seek to ensure that any actions arising from the decision of the Panel are taken within the timescale identified in the report and shall report any failure to complete actions to the Director of Academic Affairs.

#### **10.4. Procedural Rules for the Conduct of Grievance Appeal Panel Hearings**

- Hearings shall take place at dates and times notified in writing to the student, members of staff and other students concerned at least five working days before the hearing.
- The Chair of the Panel shall, at the same time as they notify the date of the meeting, indicate the names of any persons that the Panel intends to call to give evidence together with a copy of any statement obtained from those persons which are to be referred to at the hearing.
- A person of their choosing may accompany the complainant or any respondents directly involved in the grievance. If the complainant or any respondent intends to have a companion attend, the name and contact details of the accompanying person shall be notified to the Chair not less than twenty-four hours prior to the meeting of the Panel. Legal representation shall not be allowed at a hearing.
- At the discretion of the chair, the complainant and respondents directly involved in the grievance and persons accompanying them shall be permitted to question any persons giving evidence to the meeting and to directly address the Grievance Appeal Panel.
- If the complainant or any respondent wishes to introduce documents to the Panel they shall supply copies of all such documents to the Chair on receipt of notification of the meeting and normally at least three working days before the date of the hearing. The Chair shall ensure these papers are circulated as soon as possible to the other party and to all members of the Panel. The Chair may decide to give time to examine the documents by adjourning or delaying the meeting of the Panel for a period of up to five working days
- The Panel shall meet in private, and attendance and participation of persons other than Panel members shall at all times be at the discretion of and under the guidance of the Chair.
- The Panel shall initially decide and then inform all parties concerned how it will conduct the hearing subject to the procedures being consistent with the principles of these grievance procedures and of these procedural rules.
- The Panel shall establish the exact nature of the grievance, establish the facts as far as it is possible to do so, consider the facts, determine its decision and report its decision in writing within five working days to the Territory Academic Coordinator, copied to all parties involved in hearing the appeal.

#### **10.5. Stage 3 - Appeal to Middlesex University**

If the complainant is dissatisfied with the outcome of their appeal, s/he may initiate formal appeal proceedings with Middlesex University. Details of the procedures involved are available at: <http://www.mdx.ac.uk/about-us/policies/university-regulations>

### **11. Policy History**

Last Review: 09 February 2015

Policy Review Date: 1 December 2017