

Student Non-Academic Complaints Policy

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This policy reflects current UK legislation and will be updated in line with any legislative changes.

1. Introduction

A policy describes our approach to a certain issue. A procedure supports a policy and guides on the process to follow in dealing with this. The procedure is attached as an Appendix.

SAE Institute is committed to promoting a collaborative and collegial teaching and learning environment and will undertake all necessary actions to resolve complaints in a fair and expeditious manner.

2. Policy purpose and scope

2.1 Purpose

This policy seeks to ensure that complaints within SAE Institute made by students are treated seriously and, if found to be justified, are acted upon to ensure that the students' experience is protected as far as it is possible to do so.

This policy covers all types of complaints other than academic matters relating to results and progression (as defined in the Academic Complaint Policy).

2.2 Scope

This policy applies to all SAE UK students studying SAE Institute programmes or awards, and at all campuses providing collaborative programmes or operations with Middlesex University, and should be read in conjunction with other student policies.

These procedures and any decisions made under them are not intended to give rise to legal rights, or obligations on SAE Institute to pay compensation either in respect of a decision made pursuant to the procedures or for breach of these procedures. They are intended to facilitate the resolution of formal complaints brought to the attention of SAE Institute. Anonymous complaints will not normally be considered.

3. Key principles

All complaints will be:

- Treated seriously and with fairness and impartiality.
- Dealt with promptly and resolved within the specific SAE Campus as far as is possible. However, there may be times where another Campus will be asked to become involved, either for additional independent review, or to provide additional resource or expertise.
- Treated consistently across the Institute.
- Subject to the principles of natural justice.
- Dealt with and resolved wherever possible without recourse to the formal stage, unless the matter is of significant gravity.
- Shall be resolved without prejudice to a complainant's right to pursue available and legitimate pathways of complaint outside SAE Institute, having first exhausted the matter internally via this policy.

A complainant shall not be disadvantaged, nor subject to discrimination, victimisation or any other form of harassment as a result of raising a complaint.

However, if it is found that the complaint is being made with vexatious or malicious intent, SAE may refer to the Student Code of Conduct and consideration of their progression may be terminated. Vexatious or malicious complaints are defined as, but not limited to:

- 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.

4. Policy guidelines

4.1 General

Where a complaint is made by a group of students, one student should be clearly highlighted as the main point of contact for the complaint. Any findings and decisions will be provided to each member of the group in which the complaint corresponds.

The complainant will not be required to meet any costs associated with lodging a complaint, provided the policy has been adhered to.

In some cases, a flexible approach may need to be undertaken in order to progress a complaint, this could be due to, but not limited to:

- Impact of serious events, for example pandemics.
- Vacant posts which are assigned to a complaint stage.
- Staff illness.
- Campus closures.

In a case where flexibility is introduced, our aim is to resolve a complaint via the outlined stages but may have the involvement of different roles to those listed or an alternative procedure to that outlined in this policy. Where this is impacting on a case, we will notify you procedural change.

4.2 Early Resolution

Prior to lodging a formal complaint, students should discuss their concerns informally with the Academic Coordinator (AC).

This should take place as soon as possible and normally within five working days of the issue.

If this does not resolve the matter or is deemed to have been of significant gravity by the Academic Coordinator, any formal complaint must be made in writing **within ten days** of the meeting.

4.3 Formal Complaint

A formal complaint should include a detailed breakdown of the reasons for the complaint, with supporting evidence and documents.

A member of Campus management will be appointed to investigate the matter and the complainant will be given the opportunity to present their case and explain the issue in more detail.

4.3.1 Investigation, evidence and record keeping

Where further information is required as part of the investigation into the complaint, this must be provided promptly by the complainant to avoid any undue delays. If not, the outcome will be made based upon the information available.

The investigation will be noted for the record, and all documents will be maintained and treated as confidential in accordance with the Institute's Privacy Policy.

If it is deemed necessary to record any meetings, this will be with the mutual consent of all parties and using SAE equipment. No other forms of recordings of the proceedings (i.e. covert) will be allowed.

4.3.2 Right of representation

A student may appoint a representative to submit a complaint for them. Typically, this would be the class representative, although a different class representative or student of their choosing may be chosen.

Legal representation is not permitted, and communications from legal representatives shall not normally be responded to.

4.3.3 Timelines

Complaints may be considered "out of time" if not received in writing within 28 calendar days of the incident to which they refer. SAE Institute will exercise discretion where there is good reason, supported by evidence, for late submission of a complaint. SAE Institute is mindful of our obligations under the Equality Act when considering whether there are exceptional reasons to accept a complaint outside the normal time limit, or whether it would be reasonable to make adjustments to our procedures.

All formal complaints will be acknowledged within 5 working days upon receipt.

We aim to resolve all complaints within 90 calendar days. In more complex cases, flexible deadlines may need to be used; where this is applicable, we will inform you of revised timings. The 90 calendar day timeframe requires students to meet any deadlines set by SAE Institute for the submission of material. There will occasionally be circumstances when, for good reason, SAE Institute will need to extend the timeframe. Where this is the case, we will notify you and keep you informed of progress.

We will also take reasonable steps to ensure that all matters are reviewed thoroughly and professionally, and so at times this deadline may need to be extended, for example, where the complaint is complex, additional information has not been received, or witnesses are not available within the original timescales. We will write to advise of any extended timescales.

4.3.4 Complaint outcome

Once the review into the complaint has been concluded, the proposed outcome will be advised in writing to the complainant, allowing them 10 working days to submit their response.

If no contact is received by this date, the matter will be deemed closed, and a formal closure will be sent on the date given.

The complainant has the right to appeal within 10 working days from the date of formal closure. This must be put in writing to the nominated individual stated within the document of the date of the formal closure letter.

If no contact is received by this date, the complaint will be considered resolved and a Completion of Procedures (CoP) will be provided.

4.3.5 Further support

SAE subscribes to the Office of the Independent Adjudicator (OIA) for Higher Education, an independent scheme for the review of student complaints. Further information is available at: www.oiahe.org.uk.

When the Institute's internal procedures have been concluded, the final confirmation notification will include a Completion of Procedures letter, (CoP). Where a student remains dissatisfied with the final decision, they may raise this the OIA, and an OIA Complaint Form must be received by the OIA within 12 months of the date of the final letter of completion letter sent by SAE Institute.

The OIA will normally only review issues that have been dealt with and concluded through our internal process, including the Middlesex University appeal stage.

The form can be accessed by their website at:
<http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>.

Alternatively, a student can telephone or write to the OIA for a form. The form should be sent to the OIA accompanied by a copy of the completion letter.

The OIA also publishes a guide for the Scheme, which can be downloaded from
<https://www.oiahe.org.uk/media/2264/intrototheoia-students-jan-2019.pdf>.

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website: <https://www.oiahe.org.uk/students/how-to-complain-to-us/>

5. Approval policy

This Policy is fully supported by the ELT and Board.

6. Related policies

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

- Student Code of Conduct
- Academic Complaints Policy

7. Revision history

Version Control

Issue Date:	Summary of Changes	Review Date
2015	Initial policy	
June 2020	Update review: <ul style="list-style-type: none"> • Branding and minor grammatical amendments • Consideration given to actions taken following the COVID-19 pandemic 	June 2022

8. Document protocol

Document I.D.	A07: Non-Academic Complaint Policy
Responsibility	Student Experience Manager
Initial Issue Date	2015

End

9. Appendix: Procedures for raising a Non-Academic Complaint

Students are encouraged, wherever possible, to discuss and resolve concerns or difficulties directly with the relevant person/s concerned.

Complaint authority levels:

Early Resolution:	All staff
Formal Stage:	Academic Coordinator / Campus Director
Appeal Stage:	One up or sideways.

9.1 Early Resolution Procedure

In the first instance, an aggrieved student should seek to speak directly with the person perceived to be the cause of the alleged complaint in a spirit of goodwill intended to resolve the matter.

If that process does not lead to a satisfactory resolution, the student should discuss the issue either with their Student Representative, a Student Experience Officer (SEO) or their Lecturer/ Programme Coordinator.

This may involve referral of the complaint to third parties.

If after speaking with the above individuals the matter is not resolved, or is deemed to be of significant severity, the formal process is to be invoked by written complaint raised by the student. This should be submitted via Campus Online or by requesting a copy of the formal complaint form from a Student Experience Officer.

The outcome of complaints dealt with informally should be briefly documented and a copy of the outcome sent to the complainant in writing.

9.2 Formal Complaint Procedure

When the formal complaint is received in writing, this to be advised to the Student Experience Manager, who will agree / appoint the appropriate level of manager to deal with the formal complaint.

The manager appointed to manage the complaint will:

- Acknowledge receipt of the formal complaint in writing (email) within five working days.
- Consider the evidence, written or otherwise, and, if necessary, hold such discussions with the complainant and any other persons deemed appropriate in order to fully investigate the complaint.
- Decide the complaint outcome which will be either:
 - Dismissal, i.e. where the complaint is not upheld or there is insufficient evidence to support the complaint.
 - Upheld.
- Send a final response outlining the decision to the student, typically no longer than 10 working days from the date of acknowledgement. The response will contain details of the appeal process, should the complainant disagree with the decision or that a fair process has been followed.
- Appeals must be submitted in writing in line with the details outlined in the letter and within ten days of the date of the letter.

The Student Experience Manager will:

- Log the complaint in the SAE Institute Complaint Log and keep this updated throughout the process, outlining the decision and any actions arising.
- Support the manager handling the complaint in procedural and regulatory matters.
- Consider the recommendation of the Campus Director (or the UK Dean will consider this if the Student Experience Manager has been required to deal with the complaint).
- Ensure that the complaint is fully investigated and responded to within the Institute's timescales.
- Send the Completion of Procedures letter within 28 days of the complaint resolution, if no appeal is made.

9.3 Appeals process

If the student who has lodged the complaint is not satisfied with the decision at the conclusion of the Formal Stage, they may appeal in writing to the Student Experience Manager. The complainant shall submit the appeal in writing within ten working days of receiving the outcome of the Formal Stage.

- The appeal will be overseen by the Campus Director, in liaison with the Student Experience Manager, or another senior manager.
- The Institute's Dean and General Manager should be informed, and the Complaint Log updated.

The Senior Manager appointed to review the appeal will:

- Acknowledge receipt of the appeal within seven working days.
- Inform the relevant Campus Director or nominated officer from the Formal Stage that an appeal has been received.
- Review the case, and where necessary instigate further investigation.
- Decide upon one of the following actions:
 - To enforce the implementation of the recommendations made at the end of the Formal Stage.
 - Dismiss the case, giving reasons in writing.
 - Seek agreement to an alternative set of recommendations.
 - Determine whether there are enough grounds to convene an Appeal Panel and, if so, shall establish a Panel to hear the appeal.

Use of a Hearing Panel:

- Where the appeal requires more specialised knowledge or expertise, a panel of staff may be appointed to conduct an appeal hearing to consider the evidence and decide the outcome.
 - This will consist of up to 3 people, who have no actual or perceived interest in the complaint.
 - Appeal Panel hearings will take place on SAE Institute premises at dates and times notified in writing to the complainant, members of staff and other persons involved normally at least five working days before the hearing. Where meeting at an SAE Institute campus is not possible, an alternative delivery method may be put in place at the discretion of the Senior Manager.
 - Each party will be advised of the date of the meeting, the names of any persons the Panel intends to call to give evidence, together with the information which may be referred to at the hearing.

- If the complainant or any respondent wish to introduce documents at the Panel, these must be submitted at least three working days before the date of the hearing.
 - The complainant may be accompanied by a support person, of whom their details (name, relationship to the complainant, and contact details) must be provided to the Student Experience Manager at least 2 working days before the appeal date. This person cannot be a legal representative or a solicitor. The support person may not participate in the hearing.
 - 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 establish the exact nature of the complaint, establish the facts as far as it is possible to do so, consider the facts in good faith, determine its decision.
 - Where necessary, the decision will be agreed by majority vote.
- Possible appeal outcomes will be:
 - Uphold the original decision.
 - Disagree with the decision and take formative action.
 - Adjourn to request further information/ investigation.
 - The appeal outcome will be advised to the student in writing within 10 working days of the appeal decision being made.
 - If the complaint is not upheld, the student will also be issued with a Completion of Procedures letter within 28 days.
 - The Complaint Log will be updated, and complaint file closed.
 - A Complaint report will be submitted by the Dean and General Manager within ten working days of the complaint closure.

9.4 Collaborative Partner University Level Review (CPULR): Middlesex University

- If the complaint relates to a programme validated by Middlesex University, the complainant may refer the complaint to Middlesex University once all SAE Institute internal complaints procedures have been exhausted. SAE Institute will inform a student if their case is eligible for an CPULR in the outcome of their complaint.
- The external appeal to Middlesex process is outlined within:
 - Middlesex University Regulations 19/20 > Student complaints and complaint procedures - Complaints in relation to collaborative partner institutions.
https://www.mdx.ac.uk/_data/assets/pdf_file/0028/535186/Regulations-2019-20.pdf

9.5 External Appeal: Office of the Independent Adjudicator

As outlined in the Policy: 4.3.5, SAE subscribes to the independent scheme for the review of a student complaint, the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at: www.oiahe.org.uk

- When the Institute's complaint procedures have been concluded (including where applicable a CULPR), a student who is dissatisfied with the final decision on their case may be able to apply to the OIA within 12 months of the date of the final Letter of Completion.

- A student can fill in the OIA's complaint form online or download a copy from the OIA website. <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>. The OIA also publishes An Introduction to the OIA Scheme for Students, which can be downloaded from <https://www.oiahe.org.uk/media/2264/intrototheoia-students-jan-2019.pdf>.
- Alternatively, a student can telephone or write to the OIA for a form. A student should send a copy of the completion letter to the OIA with their OIA Complaint Form.
- The OIA will normally only review issues that have been dealt with through SAE's internal procedures, including the Middlesex University appeal stage.

End