



STUDY GROUP ISCs UK & EUROPE

In (and post) Residence Complaints and Appeals Policy

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SECTION 1 - COMPLAINTS

1 Introduction

- 1.1 The ISC/IC seeks at all times to provide the highest possible level of service. However, there may be occasions when a 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.
- 1.2 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;
 - complaints will be considered on their own merits and on their particular facts and circumstances so that natural justice may be done.
- 1.3 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.
- 1.4 The ISC/IC and/or Academic Office will keep a record of complaints and will use the outcomes to inform future service provision.

2 Complaints can be Informal or Formal

- 2.1 A complaint is an expression of dissatisfaction by one or more students about the provider's (Study Group's) action or lack of action, or about the standard of service provided by or on behalf of the provider.
- 2.2 An Academic 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.
- 2.3 Students should refer to the Academic Appeals section below for details of what constitutes grounds for appeal.
- 2.4 Students should refer to the 'Student Disciplinary Policy' if they wish to appeal the outcome of a disciplinary case.

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

3 Stage 1: Informal Complaint

- 3.1 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.
- 3.2 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.
- 3.3 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 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?
- 3.4 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.
- 3.5 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.

4 Stage 2: Formal Complaint

- 4.1 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.

- 4.2 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.
- 4.3 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.
- 4.4 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.
- 4.5 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.
- 4.6 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.
- 4.7 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.
- 4.8 Key questions the Head of Centre/Centre Director may consider when a Stage 2 formal complaint is received could include:
- 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?
- 4.9 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

- 4.10 Recommendations may be forwarded by the Head of Centre/Centre Director to the Cluster/Network Director should a second opinion be required.
- 4.11 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 Cluster/Network Director (via the Academic Office – see below) should the student remain dissatisfied.
- 4.12 Should the complainant choose or neglect to escalate the complaint to the Academic 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.

5 Record Keeping

- 5.1 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.
- 5.2 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. For example, 'RHUL'/'LJMU'/'LUISC'
 - Name – student name (full)
 - Case number – for example, '001'/'002'/'003' and so on. (Case numbers should be specific to the case not the student).
- 5.3 The Academic 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.

6 Stage 3: Independent Cluster/Network Director Review

- 6.1 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 Cluster/Network Director who will review the steps taken and decision made by the Head of Centre/Centre Director.
- 6.2 The student should complete a Stage 3 Student Complaint form and submit it to the Academic 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 Academic Office will acknowledge receipt, undertake administrative arrangements with

respect to the Stage 3 complaint and notify the student of any anticipated delays.

- 6.3 The Academic 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)) or b) be informed in writing that the complaint will not be heard because it was submitted outside the permitted timeframe without reasonable cause.
- 6.4 If the Stage 3 complaint has been submitted on acceptable grounds and within the permitted timeframe, the Academic Office will appoint an independent Cluster/Network Director from the Study Group network to review the complaint. The Cluster/Network Director will not be directly connected to the ISC/IC in question to ensure impartiality.
- 6.5 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.
- 6.6 The Independent Cluster/Network 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.
- 6.7 Key questions the independent Cluster/Network 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?
- 6.8 The independent Cluster/Network 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).
- 6.9 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*](#))
- 6.10 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*).
- 6.11 If the Stage 3 complaint has been submitted on the basis of new material evidence and the Independent Cluster/Network 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 Cluster/Network Director will inform the appellant of the referral in writing within **20**

working days of receipt of the Stage 3 complaint.

- 6.12 If the complaint is upheld, (the independent Cluster/Network 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).
- 6.13 If the complaint is upheld a COP letter may be issued if requested by the student but will not be issued otherwise.

7 Record Keeping

- 7.1 The Academic 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.
- 7.2 Upon completion of Stage 3, the Independent Cluster/Network Director should provide the Academic 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.

8 Office of the Independent Adjudicator

- 8.1 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.
- 8.2 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.
- 8.3 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.
- 8.4 The OIA will only consider student complaints received within 12 months of the completion of the provider's internal complaints or appeals processes.
- 8.5 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).
- 8.6 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

9 Frivolous or Vexatious Complaints

- 9.1 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

- 9.2 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 Director of Learning, Teaching & Quality Enhancement (UK & Europe) for further consideration if they remain dissatisfied, and the method by which to do so.
- 9.3 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 Director of Learning, Teaching & Quality Enhancement (UK & Europe). The student should specify that they are escalating the matter for further consideration.
- 9.4 Any escalations to the Director of Learning, Teaching & Quality Enhancement (UK & Europe) must be made within **10 working days** of the date of the original complaint outcomes letter and an acknowledgement of receipt will be provided.
- 9.5 The Director of Learning, Teaching & Quality Enhancement (UK & Europe) 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.
- 9.6 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](#)).
- 9.7 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.
- 9.8 If the escalation has been upheld, (the Director of Learning, Teaching & Quality Enhancement (UK & Europe) 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.
- 9.9 If the escalation is upheld a COP letter may be issued if requested by the student but will not be issued otherwise.

10 Record Keeping

- 10.1 The Academic 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.
- 10.2 Upon completion of the escalation, the Director of Learning, Teaching & Quality Enhancement (UK & Europe) should provide the Academic 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

Student Academic Appeals Procedure

1 Introduction

- 1.1 An Academic 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.
- 1.2 Complaints, as opposed to Academic 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.
- 1.3 Students should refer to the Complaints section above for further details.
- 1.4 Students should refer to the 'Student Disciplinary Policy' if they wish to appeal the outcome of a disciplinary case.
- 1.5 If a student is unclear which procedure to follow, they should seek guidance from a member of staff at the ISC/IC.

2 Who can appeal

- 2.1 All students have the right to appeal, however it is not possible to appeal against grades awarded on grounds of academic judgement. Appeals will only be considered on grounds of procedural irregularity, inadequate assessment, prejudice or bias, or mitigating circumstances that the examiners were unaware of at the time of assessment.
- 2.2 A student may not appeal before formal notification of the results is given.
- 2.3 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.
- 2.4 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.
- 2.5 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.

3 Grounds for appeal

- 3.1 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.

3.2 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.

3.3 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.

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

4 Implications for progression

4.1 Where an 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.

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

Stage 1: Academic Appeals to ISC/IC Appeals Committee

5 Timing and format of appeals

5.1 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.

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

5.3 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).

5.4 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 or PAB, such as an 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.

5.5 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.

6 Procedure for the consideration of Academic Appeals

- 6.1 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.
- 6.2 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 Academic Office), or c) be informed in writing that the appeal will not be heard because it was submitted outside the permitted timeframe.
- 6.3 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).
- 6.4 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.
- 6.5 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.
- 6.6 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.
- 6.7 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.
- 6.8 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.
- 6.9 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.
- 6.14 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.

- 6.15 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.
- 6.16 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) is invited to speak 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;
 - The Committee may put questions to the appellant (or representative of the appellant).
- 6.17 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 Academic Office should they remain dissatisfied.
- 6.18 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 Academic Office).
- 6.19 Should the appellant choose or neglect to escalate the appeal to the Academic 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.

7 Record Keeping

- 7.1 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.
- 7.2 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. For example, 'RHUL'/'LJMU'/'LUIISC'
 - Name – student name (full)
 - Case number – for example, '001'/'002'/'003' and so on. (Case numbers should be specific to the case not the student).
- 7.3 The Academic 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

8 Grounds for review

8.1 If a student is dissatisfied with the outcome of the Stage 1 appeal, they have the right to escalate the appeal to the Academic 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.

9 Timing and format of Independent Appeal Review

9.1 An appeal to the Academic Office (Stage 2) may be lodged only after written notification has been given of the outcome of a Stage 1 appeal.

9.2 All appeals to the Academic 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 Academic Office, and in any event only where good reason is given for such an extension.

9.3 Appeals to the Academic 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).

9.4 The appeal to the Academic 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.

9.5 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.

10 Procedure for Independent Appeal Review

10.1 The Academic 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) or relevant Partner University for validated provision, as appropriate) or b) be informed in writing that the appeal will not be heard because it was submitted outside the permitted timeframe without reasonable cause.

10.2 If the Stage 2 appeal has been submitted on acceptable grounds and within the permitted timeframe, the Academic 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.

- 10.3 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.
- 10.4 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.
- 10.5 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?
- 10.6 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](#))
- 10.7 The COP letter should also advise the student about their right to submit a complaint to the Office of the Independent Adjudicator (OIA), 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).
- 10.8 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.
- 10.9 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).
- 10.10 If the appeal is upheld, a COP letter may be issued if requested by the student but will not be issued otherwise.

11 Record Keeping

- 11.1 The Academic 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.

- 11.2 Upon completion of Stage 2, the Independent Reviewer should provide the Academic 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.

12 Office of the Independent Adjudicator

- 12.1 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.
- 12.2 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.
- 12.3 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.
- 12.4 The OIA will only consider student complaints received within 12 months of the completion of the provider's internal complaints or appeals processes.
- 12.5 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).
- 12.6 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

13 Frivolous or Vexatious Appeals

- 13.1 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
- 13.2 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 Director of Learning, Teaching & Quality Enhancement (UK & Europe) for further consideration if they remain dissatisfied, and the method by which to do so.
- 13.3 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

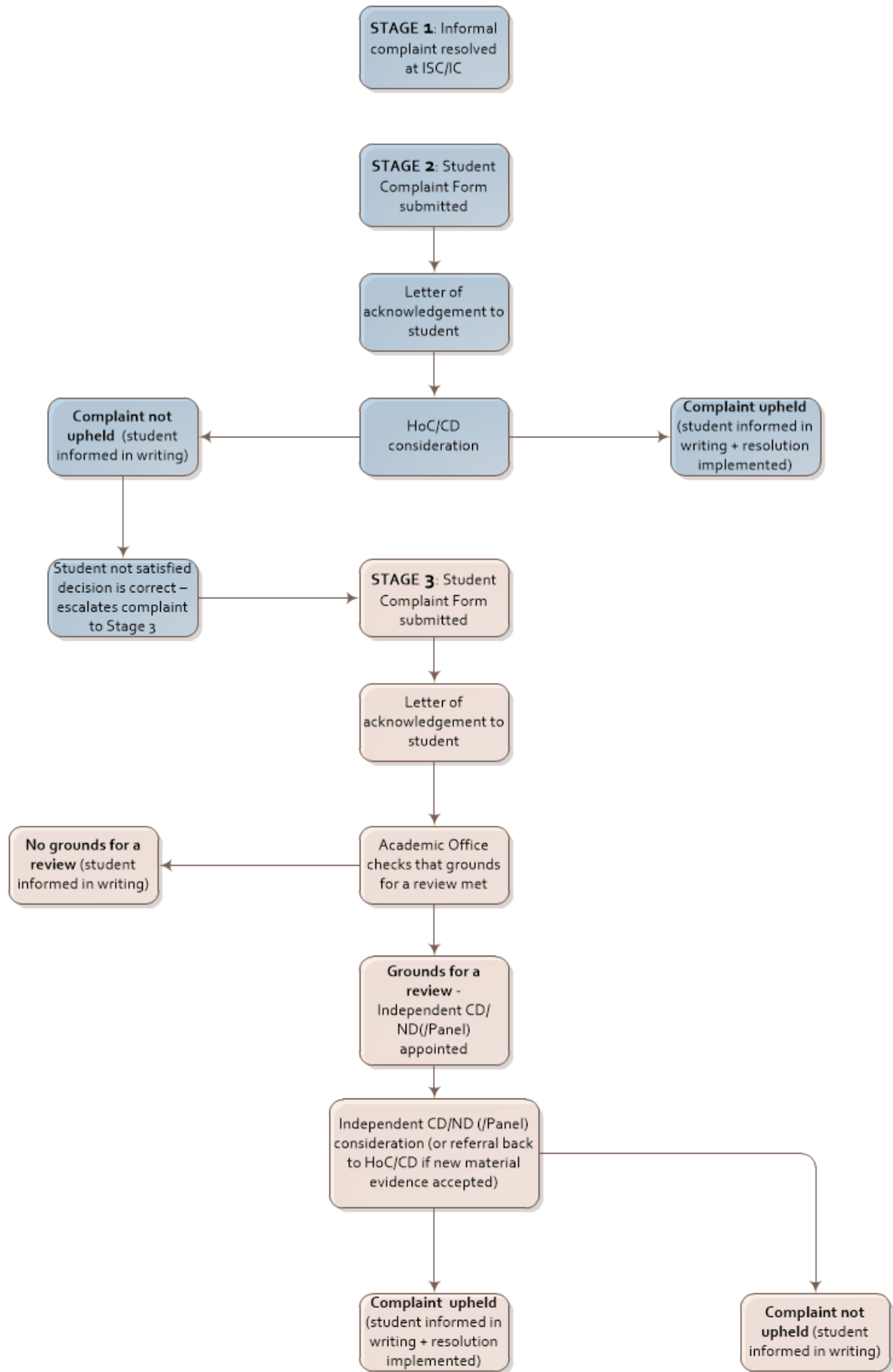
handler's letter confirming that consideration of the appeal has been terminated) to academicregistry@studygroup.com for the attention of the Director of Learning, Teaching & Quality Enhancement (UK & Europe). The student should specify that they are escalating the matter for further consideration.

- 13.4 Any escalations to the Director of Learning, Teaching & Quality Enhancement (UK & Europe) must be made within **10 working days** of the date of the original appeal outcomes letter and an acknowledgement of receipt will be provided.
- 13.5 The Director of Learning, Teaching & Quality Enhancement (UK & Europe) 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.
- 13.6 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](#)).
- 13.7 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.
- 13.8 If the escalation has been upheld, (the Director of Learning, Teaching & Quality Enhancement (UK & Europe) 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.
- 13.9 If the escalation is upheld a COP letter may be issued if requested by the student but will not be issued otherwise.

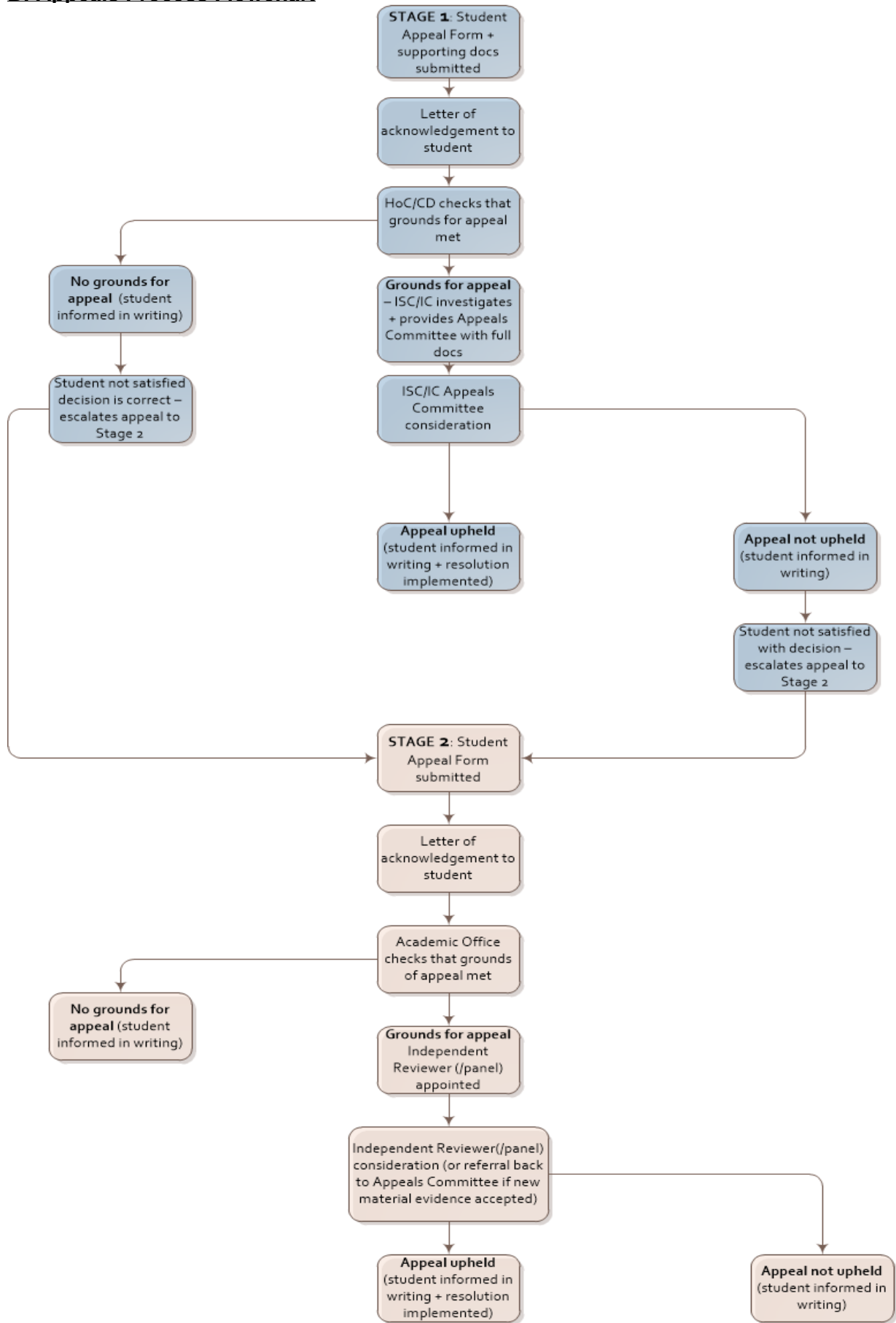
14 Record Keeping

- 14.1 The Academic 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.
- 14.2 Upon completion of the escalation, the Director of Learning, Teaching & Quality Enhancement (UK & Europe) should provide the Academic 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.

A: Complaints Process Flowchart



B: Appeals Process Flowchart



STAGE 2 STUDENT COMPLAINT FORM

This form should only be used if you have read the In (and post) Residence Complaints & Appeals Policy. You are strongly advised to consult your Personal Tutor (or other member of ISC/IC staff) prior to submitting this form.

If you wish to make a formal complaint but feel unable to act on your own behalf you may appoint a representative to act on your behalf. However, you must sign the 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.

Completed forms, together with supporting evidence, should be submitted to the ISC/IC Administration Office.

Full Name:	
Correspondence Address:	
Email:	Phone:
Student Number:	Date form submitted:
Programme:	

Please tick the box below if you wish to appoint a representative:

<input type="checkbox"/>	I confirm that I wish the person named below to act on my behalf.
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PART 1: Details of Representative appointed to act on your behalf (if applicable)

First Name	
Last Name	
E mail Address	
Contact Phone Number	

Continued...

PART 2: 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.

Continued...

...continued...

PART 3: Desired outcome

Please explain what outcome you are looking for:

Please confirm whether or not you would be willing to consider mediation or conciliation. (Please circle below):

YES / NO

Part 5: Declaration

I have read the In (and post) Residence Complaints & Appeals Policy and I declare that the information on this form is correct.

Student signature:.....

Date:.....

STAGE 3 STUDENT COMPLAINT FORM

This form should only be used if you have read the In (and post) Residence Complaints & Appeals Policy. You are strongly advised to consult your Personal Tutor (or other member of ISC/IC staff) prior to submitting this 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 to the Independent Cluster/Network Director for further consideration.

Should you wish to complete the form by hand, it must be written in a black pen on white paper.

The following should be submitted to the Academic Office at academicregistry@studygroup.com:

- **Completed Stage 2 Student Complaint Form (this form)**
- **Completed Stage 1 Student Complaint Form**
- **All supporting evidence submitted previously (at Stage 1) and any new supporting evidence**
- **A copy of the communication you received from the Head of Centre/Centre Director at the culmination of Stage 1**

Full Name:	
Correspondence Address:	
Email:	Phone:
Student Number:	Date form submitted:
Programme:	

Please tick the box below if you wish to appoint a representative:

<input type="checkbox"/>	I confirm that I wish the person named below to act on my behalf.
--------------------------	---

Continued...

...continued...

APPENDIX D

PART 1: Details of Representative appointed to act on your behalf (if applicable)

First Name	
Last Name	
E mail Address	
Contact Phone Number	

PART 2: Reasons for escalation of complaint

Please give the reasons why you are dissatisfied with the Centre/Colleges response and wish to escalate your complaint:

Continued...

...continued...

APPENDIX D

PART 3: Desired outcome

Please explain what outcome you are looking for:

Please confirm whether or not you would be willing to consider mediation or conciliation. (Please circle below):

YES / NO

Part 5: Declaration

I have read the In (and post) Residence Complaints & Appeals Policy and I declare that the information on this form is correct.

Student signature:.....

Date:.....



STAGE 1 STUDENT APPEAL FORM

Please read the In (and post) Residence Complaints & Appeals Policy in full before completing this form. You are also strongly advised to consult your Personal Tutor (or other member of ISC/IC staff) prior to submission of this form.

This form should be used by students who wish to make an appeal to the ISC/IC Appeals Committee. Should you wish to complete the form by hand, it must be written with a black pen on white paper.

Completed forms, together with all supporting evidence, should be submitted to the ISC/IC Administration Office within 10 working days of the issuance of your Record of Results.

Appeals received after the deadline may not be considered except in exceptional circumstances.

Name:	
Correspondence Address:	
Email:	Phone:
Student Number:	Date form submitted:
Programme:	
Decision appealed against:	

Continued...

Grounds for Appeal

Please tick as appropriate. Note: only tick the grounds you have reason and evidence for. Ticking all grounds will not improve your case.

- Procedural irregularities in the assessment process (including alleged administrative error which could have 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; 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.

<p>Please explain what outcome you are looking for:</p>
--

Declaration:

I have read the In (and post) Residence Complaints & Appeals Policy and I declare that the information on this form is correct.

Student signature:.....

Date:.....

STAGE 2 STUDENT APPEAL FORM

Please read the In (and post) Residence Complaints & Appeals Policy in full before completing this form. You are also strongly advised to consult your Personal Tutor (or other member of ISC/IC staff) prior to submission of this form.

This form should be used by students who wish to appeal the outcome of their Stage 1 appeal. Should you wish to complete the form by hand, it must be written with a black pen on white paper.

Stage 2 appeals will only be considered upon the conclusion of the Stage 1 appeal.

The following should be submitted to the Academic Registrar at academicregistry@studygroup.com within 10 working days of the date on your Stage 1 appeal completion letter:

- **Completed Stage 2 Student Appeal Form (this form)**
- **All supporting evidence submitted previously (at Stage 1) and any new supporting evidence**
- **A copy of the letter you received at the completion of Stage 1**

Appeals received after the deadline may not be considered except in exceptional circumstances.

Name:	
Correspondence Address:	
Email:	Phone:
Student Number:	Date form submitted:
Programme:	
Decision appealed against:	

Continued...

Grounds for Appeal

Please tick as appropriate. Note: only tick the grounds you have reason and evidence for. Ticking all grounds will not improve your case.

- 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 Complaints and Appeals Policy

Please explain in more detail the reason/s why you feel you have grounds for Stage 2 appeal:

Please explain what outcome you are looking for:

Declaration:

I have read the In (and post) Residence Complaints & Appeals Policy and I declare that the information on this form is correct.

Student signature:.....

Date:.....

Document Version Control

Document Source		Academic Office	
Authorised to Approve		ACADEMIC BOARD	
Version	Date approved	Update by	Details
1	Jan 2016	N/A	N/A
2	03/12/2018	Polly Bramhall	<p>Both Policies</p> <ul style="list-style-type: none"> • 'In (and post) Residence' and 'Policy' added to title for clarity • Variance in use of second person and third person corrected. (Third person throughout) • More explicit timeframes for the consideration of complaints and appeals (as per OIA guidance) • Added information relating to which written communications the student should consider the 'completion of the complaint / appeal' (as per OIA guidance) • Added requirement for written communications to students to include reference to the OIA (as per OIA guidance) • Added OIA information at the end of both processes, including website address (as per OIA guidance) <p>Complaints Policy Only</p> <ul style="list-style-type: none"> • References to 'Regional Director' amended to 'Cluster/Network Director' • Minor amendments to wording • Preamble added • Additional wording to clarify which form a student should complete, at which stage and to whom it should be submitted • Stage 3 Complaints to be submitted to the Academic Office, who will nominate an independent Cluster/Network Director to review the complaint (as opposed to the Cluster/Network Director related to the ISC in question). • The Academic Office will administer the Stage 3 review and will keep records for audit purposes <p>Appeals Policy Only</p> <ul style="list-style-type: none"> • Previously the Stage 2 reviewer (was Regional

			<p>Director) was permitted to invite the appellant to a meeting to discuss their appeal and the ISC Appeals Committee was not. This is counter to OIA guidance with respect to provider considerations of appeals. Stage 1 ISC Appeals Committee now permitted to invite student to discuss the appeal and the Stage 2 reviewer is not.</p> <ul style="list-style-type: none"> • Stage 2 reviewer now the Academic Registrar (or nominee). • Amended terminology surrounding Stage 2 of the appeals process to 'Appeal Review' (in accordance with OIA guidance) • Addition of Appeals Process Flowchart for clarity, as process is somewhat complex • Preamble amended to align with new Complaints preamble <p>Addition of appendices A-E</p>
3	18/02/2019	Polly Bramhall	<p>Both Policies</p> <ul style="list-style-type: none"> • Addition of reference to the 'Student Disciplinary Policy' if a student wishes to appeal the outcome of a disciplinary case.
4	27/08/2019	Polly Bramhall	<p>Significant re-write of entire document in order to bring the Policy fully in-line with OIA guidelines, to account for operational requirements and to provide fuller guidance for users. Contents page with hyperlinks and numbering also added. Removal of 'recommended wording' for appeals letters, as not suitable for inclusion in a Policy document.</p>