

Student Complaints Policy

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SUMMARY OF CHANGES TO DOCUMENT

Summary of Changes between previous and current version	Page Number
Minor edits throughout	All

DGHE Student Complaints Policy

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DGHE CENTRE - STUDENT COMPLAINTS POLICY

Section 1 Introduction

It is a policy of the DGHE) to resolve as quickly and fairly as possible any grievance students may have about a programme of study for which they are registered; a service provided by the College and their treatment by any staff or faculty members. The purpose of the complaints procedure is to provide an opportunity for the student to resolve any such problem.

The College takes pride in the quality of the teaching and pastoral care provided to its students. However, if students do have a complaint, they can expect it to be treated by the College in accordance with this policy.

The College endeavours to ensure that the complaints process described in the policy follows the principles of the **Office of the Independent Adjudicator (OIA)** in assuring accessibility, clarity, proportionality, timeliness, fairness, independence, confidentiality, and improvement of student experience. The College also references the UK Quality Code for Higher Education and strives to meet with its Expectations and 'Core Practices' for all aspects of its higher education provision. It does so through the operation of a robust and comprehensive academic governance framework and the application of detailed policy and procedure documentation, as detailed below. The College also observes the Quality Code Advice & Guidance with regards to its 'Common Practices' and has chosen to also work towards their fulfilment.

Expectations	Core Practices	Common Practices	DGHE References
<i>Expectations for Quality</i>			
<p>Courses are well-designed, provide a high-quality academic experience for all students and enable a student's achievement to be reliably assessed.</p> <p>From admission through to completion, all students are provided with the support that they need to succeed in and benefit from higher education.</p>	<p>The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.</p>	<p>The provider reviews its core practices for quality regularly and uses the outcomes to drive improvement and enhancement.</p>	<p>Student Complaints Policy</p> <p>Academic Appeals Policy</p> <p>Quality Assurance Handbook</p> <p>Higher Education Administrative Team (HEAT) meetings</p> <p>OIA Good Practice Framework</p> <p>Collaborative Partner and Awarding Body regulations</p>

Therefore, the College recognises the need for a formal process, as detailed below:

Stage 1 – Early Resolution

- Designed to address most concerns at the College, in an accessible, clear and timely manner.

Stage 2 – Formal Resolution

- If the complaint cannot be resolved on an informal basis or the student is dissatisfied with the outcome of Stage 1, then the student should put their complaint in writing which will trigger a formal process to acknowledge and address the complaint.

Stage 3 – Review stage

- The review stage occurs when the student appeals to a higher, independent body, in the College for a review of the process of the formal complaint. This is designed to ensure that the appropriate procedures were followed, and that the decision was reasonable. The stage does not involve the reconsideration of issues raised by the student. At the College, students that seek to invoke Stage 3 will be referred to the Governance Advisory Committee, chaired by Jill Bainton, who will action the Complaints Panel. Note: where the College is delivering a course under a collaborative agreement, subject to the precise regulations of the particular institution, prior to moving to Stage 4 it may be necessary to refer the complaint over to the collaborative partner (or awarding body).

Stage 4 – The Office of the Independent Adjudicator (OIA)

- If the student is not satisfied with the final decision of the Panel (and/or collaborative partner) they can refer the complaint to the OIA for a further review. The process will follow its own set of guidelines as designed by the OIA, and accessible via their website: www.oiahe.org.uk

Section 2 Definition of a complaint

The OIA defines a complaint as ‘an expression of dissatisfaction by one or more students about a provider’s action or lack of action, or about the standard of service provided by or on behalf of the provider’. The UK Quality Code considers a complaint to be ‘expression of a specific concern about matters that affect the quality of a student’s learning opportunities’

The College has adopted the following definition in alignment with the definitions above:

‘an expression of dissatisfaction concerning the provision of a programme of study or related academic or administrative service, when the complainant has drawn his or her concern to the attention of the College and is not satisfied with the response’.

Note: This definition does not include complaints that are covered by Academic Regulations (either under internal policy or that imposed by an examinations board or validating body/university).

This procedure is intended to incorporate the principles of natural justice and procedural fairness and shall be conducted in reference to the following guidelines:

- A person making a decision in a case should declare any personal interest they have in the proceedings;
- A person who makes a decision should be unbiased and act in good faith;
- Proceedings should be conducted so that they are fair to all parties;
- Each party should be given the opportunity to ask questions and contradict the evidence of an opposing party;
- A decision maker should take into account all relevant considerations and extenuating circumstances and ignore any irrelevant considerations;
- Justice should be seen to be done.
- Wherever possible, DGC would wish to see any complaint resolved as close as possible to its point of origin, and with a minimum of formality.

This procedure applies to:

- Complaints arising from a student’s educational experience, other than disputes relating to assessment and examinations (see below);
- Complaints in respect of academic and/or administrative support or other services provided;
- Complaints arising from alleged discrimination by staff in relation to gender, race, disability, sexual orientation or otherwise.

This list is not exhaustive – complaints falling outside those shown above will be considered and investigated at the discretion of the Head of Centre.

Separate procedures exist for candidates wishing to appeal against an academic decision.

Candidates should also note that appeals against the academic judgement of examiners cannot be accepted.

I.e. this Complaints Policy and the procedures within do not apply to:

- Academic dishonesty
- Programme regulations
- Class attendance
- Grade Appeals
- Classification of award
- Issues affecting progression
- Dismissal from a programme of study

Nature of Complaints

There are issues raised by students that don't fall into the categories stipulated in this policy. When it is the case, the College will direct the student to the appropriate procedure. These include the following:

- **Complaint involving more than one academic provider or awarding body:** if a student has a complaint against the College, it will follow the process outlined in the current policy. After exhausting all stages, and before escalating to the OIA, the student has the facility to escalate their complaint to the awarding body (e.g. Pearson), or a collaborative partner, if applicable, which will follow their own set of complaint procedures.
- **Complaints involving other organisations or contractors who provide a service on behalf of the College:** a student that wishes to raise a concern or complaint with an organisation or contractor that provides a service on behalf of the College, should in first instance contact the organisation directly; however, this does not preclude the right of the student to complain to the College by following the outlined process in the policy. There are various types of institutions the College liaises with and will fall under this category. The College ensures that the providers we liaise with have appropriate complaint procedures in place.
- **Complaints about staff (including teaching and administration):** due to the potential nature of complaints by students about staff members students should not approach the member of staff concerned but contact the Head of Centre in the first instance.
- **Complaints about class representatives:** to ensure that a complaint about a class representative is dealt with fairly and promptly, the complaint will trigger a stage 2 process, and be reviewed by an independent third party that will conduct the necessary process.
- **Complaints against other students:** Should there be a complaint regarding another student the complainant should first contact the Advice and Wellbeing Service for advice.

Who can make a complaint

The College considers that any student that has attended, or is currently attending the programme at the College can formalise a concern or a complaint.

A student is considered to be anyone that is currently registered in one of the programmes offered by the College. A former student, that has recently left a provider, is still able to raise issues of complaint to the College. This can be lodged at any period of time up to **one (1) year** since the student has left the course.

The College recognises that there may be instances whereby the student is unable or reluctant to make a complaint without support. In this instance, the College recognises the need for the student in question to be supported, advised and, when appropriate, represented by a third party. The third party can be a class representative, colleague or a member of the Advice and Wellbeing Service. Legal representation is usually not allowed.

Where there is an issue that affects a number of students, those students can submit a group complaint. In this instance, the class representative will be the nominee to represent the students in addressing the issue and the College will liaise directly with the class representative. The class representative will communicate with the rest of the students.

A student that wishes to submit a complaint will have to follow the process outlined in the current policy.

Data Protection

The current policy follows the Data Protection Policy that is an institutional policy applicable to all departments of the College, inclusive of the Higher Education Centre.

The College's Data Protection Policy may be accessed via its website (<https://www.dghe.ac.uk/policies>).

The College's Data Protection Officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable. Our DPO is contactable via [dpo@davidgamecollege.com](mailto:dpo@ davidgamecollege.com).

Section 3 Outline of Process

If a student has a dispute with a staff or faculty member or feels that s/he is being treated unfairly, s/he is strongly encouraged to raise their concern using the informal process by speaking directly to the Head of Centre. If the dispute is with the Head of Centre then the student should approach the Head of Academic Delivery and Development. If, at the end of the informal process, the student is still dissatisfied, s/he may appeal using the formal procedures outlined below by addressing the formal complaint in writing (see Complaints Pro-forma) to the Head of Centre. If the complaint is against a Head of Centre then the student should contact the Director of Higher Education.

Stage 1 - Early Resolution

A student who is dissatisfied with any aspect of the DGHE experience, outside of academic matters listed above, is encouraged to raise the cause of that dissatisfaction with the Head of Academic Delivery and Development. The Head of Academic Delivery and Development will listen carefully to the complaint, collect facts, and make informal notes as required.

A student may expect a response within 10 working days to the informal raising of the complaint. During this initial informal period, a student may consult for advice and/or informal mediation with the Advice and Wellbeing Service. Short notes will be kept by the Head of Academic Delivery and Development for monitoring and reporting purposes and to ensure that any remedial action is carried through. If the complaint is still not satisfactorily resolved then the student should resort to the formal procedures. If the complaint is against a **Line Manager**, then the student should contact the Head of Centre, or if they wish they can proceed directly to the formal part of the procedures. The majority of complaints should be capable of resolution at this stage.

Students should be able to air their concerns and feel that they are listened to. The staff member should be able to provide an explanation of why the issue occurred, and, if appropriate, an apology and explanation of what steps have been discussed to prevent any further occurrences.

Stage 2 - The Formal Procedure

Students should only resort to the formal procedure:

- a) When informal resolution has been sought and has failed;
- b) The issues raised are complex that require further investigation (see Nature of the Complaints section).

The formal complaint (students should complete the Complaints Proforma) and address it, in writing, to the Head of Centre who will acknowledge receipt, within 5 working days. The

complaint will have **10 working days** to proceed to the formal complaint stage. After, the deadline, the complainant will not be able to raise the issue using the formal process.

The detail of the complaint must include (amongst other things):

- Complainant's contact details and student number;
- A summary of what discussions have taken place and the reasons why the previous actions to date have been unsatisfactory;
- The desired outcome sought by the complainant.

On receipt of a formal complaint the College should evaluate if the complaint has been submitted under the right procedure, and in the right format. This might result in:

- The student being referred to a different procedure
- The complaint being rejected (for example it was submitted after the deadline set in this section)

If the complaint is accepted for consideration, and following investigation, a full response should normally be expected **within 20 working days** from the receipt of the complaint letter/proforma. Any recommended remedies will be implemented by the School/Office concerned as soon as possible, and written confirmation of action taken will be sent to the Director of Higher Education and the student. The outcome of the formal process needs to outline the decision of the formal complaint, a clear explanation of the reasons for each decision. It should also inform the student the right to appeal, and the grounds the student can use for escalating to the review stage, the time limit and appropriate procedure, and where and how to access support.

If at the end of the process the student is still unhappy the student can proceed to Stage 3: The Review Stage.

Rights and Responsibilities

The College will aim to:

- Deal with all complaints within the time limits set out in these notes.
- Make sure that all the points raised are dealt with and that replies explain the outcomes clearly.
- Handle complaints confidentially and only give people the information that is needed to carry out a proper investigation and make a full response.
- Keep records of complaints separate from other records.
- Make sure that no complaints made in good faith are used to the disadvantage of the student in the future.
- Always be polite.

Students making a complaint, should follow the procedures as outlined in this document and confine their communications to the parties mentioned.

- Give full details of the complaint(s) and any suggested resolution(s)
- Deal sensitively with issues that involve other students or staff, and not name them unless it is necessary
- Always be polite – abusive or inflammatory language is not acceptable neither is the widespread dissemination of any complaint.

Submission of a formal complaint

Formal complaints should be submitted to:

**Head of Centre
David Game College Higher Education Centre
32-35 Jewry Street
London EC3N 2ET, UK**

Stage 3 – Review Stage

If a student is dissatisfied with the outcome of stage 2, **within 10 working days** of the decision of the formal process, he/she can request an appeal. The appeal may be on the following grounds, even though is not confined to:

1. Review of the procedures followed at the formal stage
 2. Consideration of the outcome and if it was reasonable
 3. Consideration of new evidence which the student was unable, justifiably, to provide earlier in the process
- If students seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Governance Advisory Committee (GAC), chaired by Jill Bainton.
 - The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three persons not directly involved in the matter detailed in the complaint, one of whom shall be independent of the management and running of the School/Office in question. Each of the Panel members shall be appointed by the Director of Higher Education. It is good practice to include in the panel an independent student representative. The Chair of the GAC, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within **14 working days**.
 - If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than **three (3) working days** prior to the hearing.
 - The Panel will need to inform the student on the right to attend, accessing advice and support, right to be accompanied, and right to submit evidence or present witnesses. The panel will also communicate the composition of the panel and others that might have been invited to attend the panel to provide evidence.

The student may be accompanied to the hearing by one other person. The third party can be a class representative, colleague or a member of Advice and Wellbeing Services. Legal representation will not normally be appropriate.

- The review stage will not usually consider the issues afresh or involve further investigation.
- A complaint must be considered at the formal stage before it can be escalated to the review stage.
- Where further investigation is required, the Panel will decide how it should be carried out.
- After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within **28 working days** of the hearing and issue the student with a Completion of Procedure letter.
- The letter will inform the student of the Panel's decision and the reasons for it and will indicate that all internal processes have been completed.
- The Panel's decision, when applicable, can overturn the outcome of the formal stage.

The issue of a Completion of Procedures Letter

The issuance of this letter serves four main purposes:

- It fixes the date when the student completes the provider's internal complaints procedures;
- It clarifies the issues considered by the provider under those procedures;

- It establishes the timescale for bringing a complaint to the Office of the Independent Adjudicator (OIA) (12 months);
- It advises the student of the possibility of bringing a complaint to the OIA.
- It advises on where and how to access advice and support

A template of the Completion of Procedures letter is shown below.

IMPORTANT NOTE: where the College is delivering a course under a collaborative agreement, subject to the precise regulations of the particular institution, prior to moving to Stage 4 it may be necessary to refer the complaint over to the collaborative partner (or awarding body). In such cases, the Completion of Procedures letter would not be issued until after that process had been completed.

The College's current collaborative partners are listed below:

- a) The Complaints Policy for Buckinghamshire New University is here:

<https://bucks.ac.uk/about-us/governance-and-policies/policies>

- b) The Complaints Policy for the University of Gloucestershire is here:

<https://www.glos.ac.uk/information/knowledge-base/appeals-and-complaints>

- c) Pearson Qualification Services complaints portal can be accessed here:

<https://support.pearson.com/uk/s/qualification-contactus>

Records of Student Complaints

Students can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the College under external/statutory relevant regulations.

A record of all complaints is kept for three years, to permit independent scrutiny by any relevant external agency (e.g. QAA, OIA, OfS) of our handling of complaints. In addition, on request by authorised external agencies, David Game College must provide a written record of all complaints made during any specific period and the action taken as a result of each complaint.

Stage 4 - Office of the Independent Adjudicator (OIA)

The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent, transparent Scheme to review student complaints against individual higher education providers.

The OIA is not a court and its outcomes may differ from those determined by a court.

You can make a complaint to the OIA, if you:

- are or were a student at the College that you are complaining about; or
- are or were studying on a course leading to the grant of one of the awards of the qualification provided by the College that you are complaining about.

Before you make a complaint, you should first check:

- Is your complaint something the OIA can look at?
- Have you completed the College's internal complaints or appeals procedures? You must have exhausted all the formal internal processes offered by the College, before contacting the OIA.
- Has your College sent you a **Completion of Procedures Letter**?

To make a complaint:

- Please complete and sign an OIA Complaint Form (or tick the box if you are using the online form) and send it to the OIA with a copy of the Completion of Procedures Letter.
- Send your OIA Complaint Form in good time.
- Enclose a copy of the original complaint or appeal you submitted to the College, if you have it.

Visit www.oiahe.org.uk for further information and detailed guides for the OIA process.

Section 4 Application Form for the Consideration of a Complaint (Stage 2 – The Formal Procedure)

Before completing this form, students should read the Student Complaints Policy, taking particular notice of the grounds on which, a complaint may be made. They should have also made every effort to resolve the matter through the informal process (also called Stage 1).

Student Full Name	
Student ID	
Address for all correspondence	
Contact telephone number	
E-mail address	
Course of study and date started	

Please tick one or more of the relevant boxes

I wish to make a complaint against:

An individual member of Academic staff or Support staff

Staff Name.....

The operation of a particular Course

Course Name.....

The operation of a particular Administrative Office/Function

Name.....

The operation and/or facilities of the College (Senior Management)

Please provide details:

.....

Other:

.....

Part 1

Please state **exactly** the nature of your complaint. Indicate any events, dates or times that you feel are relevant. If appropriate, reference any College documentation that you feel has been contravened and attach any documentary evidence that you feel is relevant.

Part 2

Please indicate the member of staff to whom you initially reported this complaint:

Name.....

Date.....

Please provide details of any efforts made to resolve this complaint through the informal process.

Part 3

Please provide the names of any student witnesses (or third party) who can be contacted to corroborate or support your complaint. In each case, you should first ensure that the individual concerned is prepared to provide evidence in relation to your complaint (please use additional sheets if necessary):

Full Name	
Address for all correspondence	
Contact telephone number	
Contact email address	

Full Name	
Address for all correspondence	
Contact telephone number	
Contact email address	

Part 4

Please provide the names of any member of academic or admin/support staff who can be contacted to corroborate or support your complaint. You should first ensure that the individual concerned is prepared to provide evidence in relation to your complaint:

Staff Name	Course or Administrative Office	Contact telephone number and email address
1.		
2.		

Part 5

Please outline your desired outcome should your complaint be upheld.

If successful I should like:

Note: In certain circumstances the College might agree to your desired outcome without necessarily upholding your complaint. DGC reserves the right to take action against any complaint that it considers malicious or infringes the employment rights of its staff.

I declare that I have read the DGHE Student Complaints Policy and that the information given on this form and any documentary evidence attached is a true statement of the facts to the best of my knowledge and belief.

Name:

Signature:

Date:

The Head of Centre will confirm receipt within 5 working days to inform you whether this application merits full investigation and should this be the case a final decision will be issued within 20 working days. This form and all other communications relating to this complaint during its process must be in writing sent to:

The Head of Centre

DG Higher Education Centre
David Game College
32-35 Jewry
Street London
EC3N 2ET
p.talan@dghe.ac.uk

Dear [Name of complainant],

Completion of Procedures Letter Template

This letter confirms that the internal procedures of David Game College, Higher Education Centre in relation to your *complaint / appeal* regarding [please describe] have been completed.

The issues that you raised in your *complaint / appeal* were [details]

The issue(s) that were considered in relation to your *complaint / appeal etc* was / were*: [brief summary of the complaint etc].

The final decision of David Game College, Higher Education Centre is* [detail] because [reasons].

The procedures / regulations applied were*: [details and date as supplied to the OIA's electronic Regulations Bank].

David Game College, Higher Education Centre subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of *your complaint / appeal etc** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA** within **12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [insert date - e.g. if the Completion of Procedures Letter is dated 9 July 2015, this date should be 9 July 2016].

[Include here any factors of which the College is aware which mean that it is particularly important for the student to bring the complaint promptly.]

You 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>. Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA Complaint Form.**

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/>. You may also wish to seek advice from the Advice and Wellbeing Service about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the College's internal procedures.

Yours sincerely,

[Authorised signatory]