

BPP University – University Policies and Procedures

Student Complaints Policy



Scope	Students/Staff
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Purpose	Outlines the University's policies and procedures around student complaints.

Regulatory Mapping

BPP University General Academic Regulations
Section G: Rights & Duties

BPP University
University Policies and Procedures
Student Complaints Policy

1. Introduction	2
2. What the University considers as a Student Complaint	3
3. What the University does not consider as a Student Complaint	3
4. Stage 1 – Resolution to Initial Concerns	4
5. Stage 2 – Formal Student Complaints	6
6. Request of Review by the Vice-Chancellor’s Nominee	7
7. Exhaustion of Internal Procedures and the Office of the Independent Adjudicator	8
8. Frivolous or Vexatious Complaints	8
Policy Revision History	11

1. Introduction

- 1.1. The University makes it a priority to listen to and manage the concerns of its students, and this policy seeks to support students in raising and resolving concerns they have with the University. This policy outlines how the University defines, receives, and manages initial concerns and formal complaints, and how we support students in raising and addressing their concerns.
- 1.2. The Student Complaints Policy has two stages of handling initial concerns and formal complaints. The first seeks to try and find an early resolution to the initial concern the student has raised directly with the area where the concern has arisen. Where early resolution is not possible or the student remains dissatisfied, the University will then support the student in making a formal complaint. This policy outlines the conditions and process for the handling of initial concerns and complaints at both of these stages to support students in raising and addressing their concerns. The policy also outlines the action the University will take where complaints are considered frivolous or vexatious.
- 1.3. A formal complaint should be made as soon as possible as the early resolution stage has been exhausted, and must be made within 40 calendar days of the occurrence of the subject of the complaint. Complaints will only be considered outside of this timescale if there are good reasons, supported by objective and authoritative evidence, for not complying with this timescale. Students should explain the reasons for lateness and enclose any relevant evidence to support the lateness when they submit their complaint. The Office of Regulation and Compliance will then consider the reasons for the lateness, and decide whether or not to accept the formal complaint for review.
- 1.4. Students must note that they cannot approach the Office of the Independent Adjudicator (OIA) until they have exhausted this internal Student Complaints process and received a Completion of Procedures Letter. Consequently, they must follow the procedures in this policy first.

- 1.5. This policy should be read in conjunction with the University's General Academic Regulations (GARs) Part G, Rights and Duties. The policy is also informed by the Office of the Independent Adjudicator for Higher Education's (OIA) Good Practice Framework – Handling Complaints and Academic Appeals (hereon in referred to as the OIA Good Practice Framework).

2. What the University considers as a Student Complaint

- 2.1. The University's broad definition of a student complaint is drawn from the OIA Good Practice Framework which states:

A complaint is “an expression of dissatisfaction by one or more students about something a provider has done or not done, or about the standard of service provided by or on behalf of the provider.”¹

Following this definition, and the guidance as outlined in the OIA Good Practice Framework, the University regards the following examples as grounds for a student complaint:

- A student believes the University has not followed its policy and procedures correctly (e.g., they believe there was a procedural irregularity), or has not met its obligations as agreed between the University and the student (e.g., not meeting the terms and conditions).
- A student is dissatisfied about the quality, delivery and/or administration of their programme, or support services provided by the University.
- A student wishes to raise a concern about the conduct of a member of staff at the University.
- A student has a concern about the operation of the University that is under the University's control and adversely and unfairly affects the student.

3. What the University does not consider as a Student Complaint

- 3.1. The University does not consider the following matters as covered under the Student Complaints Policy. Where the University has an alternative avenue to consult to seek resolution to those issues, it is provided below:

- Appeals against admissions decisions. These are considered under Admissions Appeals Policy.
- Any decision that has been made academically with respect to a student. Concerns with decisions made academically may be considered under specific terms as outlined in the Academic Appeals Policy. Students should however note that academic appeals cannot be made against academic judgement. Nor can complaints be raised with respect to academic judgement. Academic judgements are decisions made by academic staff on the quality of the work a student submits, or the criteria used to assess the work in question.

¹ [OIA Good Practice Framework, What is a complaint? Paragraph 7.](#)

- Concerns relating to a student's academic or non-academic conduct. Concerns about Academic Misconduct must be directed to the Academic Practice Policy, and concerns about a student's non-academic conduct must be directed to the Student Conduct Policy. Where a decision has been made against a student under these policies, and a student is dissatisfied, they can raise an appeal as outlined in those policies.
- Issues that are subject to court or tribunal proceedings and those proceedings have concluded, or the matter is subject of court or tribunal proceedings that have not been stayed.
- The issue concerns a student employment matter.

4. Stage 1 – Resolution to Initial Concerns

- 4.1. Where a student wishes to raise an initial concern with the University, the first stage of this is for the student to provide the University with an opportunity to provide resolution to the concern, before considering whether to enter the formal complaint process. Students should seek this early resolution as soon as possible after the issue has occurred.
- 4.2. If students are raising a concern as a group, they can raise a group concern, but must nominate a group representative who the University is expected to communicate with, and who will be responsible for managing the group's concerns. The University will only correspond with that individual, and that individual will be responsible for liaising with the University on behalf of that group.
- 4.3. When seeking an initial resolution, the student should raise the concern through the case management system, which will direct the concern to the relevant area of the University. Please note that whilst initially the student may be in contact with one University representative, their concern may be handed to another University representative who is best positioned to provide early resolution to the concern. The University representative responsible for managing the initial resolution may also liaise with other University staff to resolve the concern raised on a *need to know basis*². University representatives that students may have their initial concern raised with may be:
 - The Student Support Team – this would normally be in cases where there are concerns around BPP University services that are not connected to Schools. You can also consult this team if you are unsure on where you need to raise your complaint with.
 - The Module Leader – this would normally be in cases where there are concerns about the module a student is studying on. If the concern is about the Module Leader themselves, the complaint should be raised with the Award Leader.

² *Need to know basis* refers to information only being shared with individuals who need to know and are involved in the process. It also refers to individuals only being given information that is appropriate to their involvement in the process (e.g., they are being specifically questioned about an element of the process, and information related to that element of the process will therefore be shared with them so they can provide an appropriate response to assist the investigation).

- The Award Leader – this would normally be in cases where there are concerns about the programme a student is studying on that are not specific to the module the student is studying on, or if they are module specific, where the concern is about the module leader themselves.
 - Dean of School – this would only be in cases where there is a concern about a module, programme, or issue in the School, that the student believes cannot be resolved by the Module or Award Leader (e.g., the issue concerns the Module or Award Leader themselves, and/or represents a conflict of interest of those individuals).
- 4.4. When seeking the initial resolution, the student is asked to provide as much information as they can about their concern, being clear on what the student believes has gone wrong, and what they are seeking from the University in terms of resolution.
- 4.5. Please note that where a concern is raised about an individual, this should not be done in group feedback forums such as SSLCs but raised on an individual basis through the case management system. Furthermore, if an issue is raised about a member of staff, then that member of staff will be informed of the concern raised against them and given the opportunity to respond to the concern. Where a concern about an individual is serious (e.g., if potential disciplinary action is required), the student will be advised by the University representative of the next steps that may need to be taken, such as raising a formal complaint.
- 4.6. Where a concern has been raised for initial resolution, Schools/Units may choose to hold an Initial Resolution Panel in order to review and resolve the concern. The School/Unit will advise on receipt of the concern the timelines for its process of review.
- 4.7. Once a concern has been raised, one of the following outcomes will be communicated to the student within 15 working days:
1. An initial resolution will be provided, detailing how the concern has been resolved. The concern is considered resolved.
 2. The initial resolution is still being considered and requires further investigation or determination. The University representative will provide clear timelines on when the student is expected to hear back on the outcome of the initial resolution and should not normally exceed 10 further working days. Once the resolution is provided, then the concern is considered resolved.
 3. A recommendation by the University representative that the student should make a formal complaint as initial resolution is not appropriate in this circumstance. The University representative will provide information on the next steps the student is required to take in line with Stage 2 of this Policy.
- 4.8. In cases where initial resolution is provided, and the concern regarded as resolved, if the student believes the concern has not been provided with an adequate resolution, they may proceed to Stage 2 and raise a formal complaint. When doing so, the student must provide a copy of the communication providing the initial resolution outcome in their formal complaint evidence, in order to demonstrate that they have sought to resolve their concern through Stage 1 in the first instance.

5. Stage 2 – Formal Student Complaints

5.1. A formal student complaint can be raised by completing the Formal Complaint Form on the Hub. A formal complaint can be raised in the following situations:

- The student has first sought early resolution to their complaint, and they are dissatisfied with the early resolution provided.
- The student has been directed to lodge a formal complaint as early resolution was not considered appropriate to address the concerns raised.

5.2. If students are raising a complaint as a group, they can make a group complaint but must nominate a group representative who the University is expected to communicate with, and who will be responsible for managing the group's concerns. The University will only correspond with that individual, and that individual will be responsible for liaising with the University on behalf of that group.

5.3. The student should provide the following information in the complaint:

- The steps they have taken to address the complaint through Stage 1 – Early Resolution, and why the outcome of this stage was not sufficient for addressing their concerns. Where the student has been directed to lodge a formal complaint, the reason why should be provided, including evidence of the direction to do so. Please note that a formal complaint at Stage 2 will not be considered unless:
 - The individual has demonstrated they have gone through Stage 1 and sought a resolution to their initial concern.
 - Or the individual has demonstrated that they have been directed to undertake a formal complaint at Stage 2, without the requirement to undertake Stage 1. Please note this is under exceptional circumstances and most concerns must be heard and resolution sought at Stage 1 first.
 - In both instances clear and authoritative evidence must be provided to substantiate the above when submitting a formal complaint at Stage 2.
- As much detail as they can provide on their complaint, and any evidence where appropriate and possible to provide the complaint investigator with important details of the concerns being raised in the complaint.
- The resolution they are seeking from the University in response to their complaint.

5.4. The complaint will be received by the Office for Regulation and Compliance (ORC), who will acknowledge receipt of the complaint, and an investigator with no conflicts of interest will be allocated to the complaint to investigate it. The ORC will also determine the best means through which to investigate the complaint. The student will normally receive a response to their complaint within 28 working days of submission. The following points must also be taken into account that might take place during a complaint investigation:

- The student may be contacted by the complaint investigator for further information or clarification where required following submission of the complaint.
 - Where a concern is raised in a complaint against a member of staff, that member of staff shall be informed as part of the investigation and will be provided with the opportunity to respond.
 - If there will be a delay to the outcome of the complaint investigation beyond 28 working days, the complaint investigator will write to the student explaining why, and when they will expect to hear about the final outcome.
- 5.5. Once a complaint has been investigated, one of the following outcomes will be communicated by email to the student:
1. The complaint has been upheld, and a remedy provided in response.
 2. The complaint is partially upheld, and an explanation will be provided as to what elements have been upheld and dismissed and the reasons why. Where an element has been upheld, a remedy will be provided in response.
 3. The complaint has been dismissed, with an explanation as to why.
- 5.6. Where a student is satisfied with the outcome of their complaint, the complaint will be considered resolved. Where a student is dissatisfied by the formal resolution provided, they can appeal the complaint outcome to the Vice-Chancellor's nominee.

6. Request of Review by the Vice-Chancellor's Nominee

- 6.1. A student may request a review of their formal complaint outcome in the below three circumstances only by e-mailing the Vice-Chancellor's Nominee (ViceChancellor@bpp.com) within 10 working days of receiving the formal complaint outcome, unless there are good reasons for not sending this appeal within the time limit accompanied by objective and authoritative evidence:
- There were procedural irregularities in the investigation of the formal complaint.
 - New evidence can be presented which could not reasonably have been available to the investigator of the formal complaint.
 - The decision is considered unreasonable.

In each of the above circumstances, the student must clearly outline why they believe their request for review meets the criteria above. Evidence the student can provide is also important to support their case. Furthermore, if a student is providing evidence that was not available to the investigator at the time the complaint investigation was taking place, this must be accompanied with a rationale as to why this was not provided at the time.

- 6.2. The student must provide the following information to the Vice-Chancellor's Nominee, and should they not be provided with the following information, they may dismiss the review request for lack of grounds:

- The grounds on which the complaint should be reviewed as outlined in 6.1.
 - A clear statement on why it meets the criteria claimed in 6.1., and any accompanying evidence, and where applicable, why this evidence was not provided at the time of the complaint.
 - The resolution that the student is seeking from the Vice-Chancellor's Nominee.
- 6.3. The Vice-Chancellor's Nominee will determine the best means through which to investigate and review the formal complaint decision made. The student will normally receive a response to their review request within 28 working days of submission. If there will be a delay to the outcome of the review request beyond 28 working days, the Vice-Chancellor's Nominee will write to the student explaining why, and when they will expect to hear about the final outcome.
- 6.4. Once a review request has been investigated, one of the following outcomes will be communicated by email by the Vice-Chancellor's nominee to the student:
1. The original formal complaint outcome will be upheld as it was deemed correct. The University deems the matter closed, and that the University's internal procedures have been exhausted and will issue the student with a Completion of Procedures Letter as outlined in Section 7 of this policy.
 2. The Vice-Chancellor's nominee has decided to substitute the original formal complaint outcome with their own decision and outcome. The University deems the matter closed, and that the University's internal procedures have been exhausted.
 3. A new investigation of the formal complaint has been ordered, and this will be undertaken under the instructions set out by the Vice-Chancellor's Nominee.

7. Exhaustion of Internal Procedures and the Office of the Independent Adjudicator

- 7.1. Once the University has deemed the matter closed, and that the University's internal procedures have been exhausted, the student will be issued with a Completion of Procedures Letter. A Completion of Procedures letter will normally be issued where the student has exhausted all internal procedures and has not received an outcome they have accepted. If the student remains dissatisfied with the outcome, they may refer their complaint to the Office of the Independent Adjudicator (OIA). The OIA is an independent body established by the Government to run an independent student complaints scheme for universities in England and Wales. The student must refer their complaint to the OIA within 12 months of the date of the Completion of Procedures letter, and information on how to do this can be found on the OIA website at: <https://www.oiahe.org.uk/students/how-to-complain-to-us/>.

8. Frivolous or Vexatious Complaints

- 8.1. The University takes seriously its duty to consider all complaints and no student shall be disadvantaged for making a genuine complaint. Where however a student submits a complaint(s) which, in the view of the University, is without

substance, merit, or otherwise unreasonable, the University may dismiss the complaint(s) as frivolous or vexatious.

8.2. A decision to consider a complaint as frivolous or vexatious is not taken lightly by the University, and the following criteria are taken into consideration when determining whether a complaint(s) is frivolous or vexatious:

- Complaints which are obsessive, harassing, and/or repetitive.
- The complainant is insistent upon pursuing unmeritorious complaints and/or unrealistic, unreasonable outcomes.
- The complainant is insistent upon pursuing 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.

8.3. The Deputy Vice-Chancellor or nominee will review formal complaints which are identified as frivolous or vexatious and, within 10 working days, determine either that:

1. The complaint(s) shall not be considered frivolous or vexatious and should continue to be considered under the formal complaints process.
2. Or that the complaint is frivolous or vexatious and either i) dismiss the complaint, or ii) determine that the matter be referred to the University Proctor for disciplinary action under the Student Conduct Policy. The Deputy Vice-Chancellor or nominee shall write to the student giving the reasons for the decision. The right and route for the student to appeal the Deputy Vice-Chancellor or nominee's appeal will be outlined in this response.

8.4. The student may appeal against the decision of the Deputy Vice-Chancellor or nominee, in writing by e-mail to the named appeal adjudicator who will have been determined suitable to hear the appeal and have no conflict of interest.

8.5. Grounds for making the appeal are as follows:

- There were procedural irregularities in the investigation conducted by the Deputy Vice-Chancellor or nominee.
- New evidence can be presented which could not reasonably have been available to the Deputy Vice-Chancellor or nominee at the time the decision was made.
- The decision of the Deputy Vice-Chancellor, or nominee was taken because of bias, a reasonable perception of bias, or the decision was made in either an irrational or illogical way.

8.6. The student in their appeal must provide the following:

- The student must provide the grounds upon which the appeal is being made and why.

- Provide objective and authoritative evidence in support of the appeal.
 - Provide a list of any other person(s) who have relevant information in relation to the appeal.
- 8.7. One of the following decisions will be made, and considered final, within 10 working days of receiving the appeal, which will be conveyed in writing by email to the student:
1. The complaint(s) shall not be considered frivolous or vexatious and should continue to be considered under the formal complaints process.
 2. Or that the complaint remains frivolous or vexatious and the original decision of the Deputy Vice-Chancellor, or nominee is upheld. This decision is final, with no further recourse to appeal.

Policy Revision History

Version Number	Description	Author	Reviewed by	Date
1.0	New Policy derived from the Complaints and Appeals Policy.	Director of Academic Governance & Proctor	Dean of Academic Quality & Policy	July 2024