

NCIUL STUDENTS COMPLAINTS PROCEDURE

ACA-SCP-115

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Niccolò Cusano (Italian) University in London (NCIUL) is committed to providing a high quality educational experience for all our students.

However NCIUL recognises that from time to time there may be occasions when students wish to bring matters of concern about their learning experience or access to learning to our attention. This Students' Complaints Procedure will enable you to express your concerns against a decision or outcome. The procedure comprises of an informal stage, a formal stage and a review stage.

Disabled students can receive this procedure in an alternative format and seek guidance from NCIUL's Student Office should they wish to discuss any reasonable adjustments.

The underlying principle of the Students' Complaints Procedure has been written in accordance with the UK Quality Code for Higher Education - Chapter B9: Academic Appeals and Student Complaints.

2. Eligibility

These procedures apply to all registered undergraduate and taught postgraduate students registered at NCIUL as well as former students as long as the issue is raised within the specified deadline as detailed below.

3. Complaints

The complaint procedure covers:

- concerns about the provision of a service or facility or
- irregularity in the decision-making process relating to admissions
- the failure to provide a service or facility, where the standard of the service or facility has fallen below the standard that might reasonably be expected or
- where there is a reasonable expectation that the service or facility would be provided or
- where NCIUL procedures have not been followed.

4. Students' rights and responsibilities

When making a formal complaint, you are entitled to be dealt with impartially and in accordance with NCIUL's equality and diversity strategy. You may withdraw a formal complaint without prejudice at any time during this procedure. NCIUL will provide guidance with regard to procedures and you will be kept informed of progress in relation to your formal complaint or appeal.

When making a formal complaint, you must ensure that you provide NCIUL with all the information necessary for dealing with the matter, including supporting evidence, and you should respond promptly to requests for further information or clarification. You should not attempt to use the formal complaints procedures to bring frivolous or vexatious matters to NCIUL's attention.

5.Complaints about different categories

If the student raises a complaint which does not fall into the complaints category or if it is an issue of complaint and/or an appeal, NCIUL will advise the student which issue will be looked at under which procedure regardless of which procedure the student has used to formally raise their concern. The concern may be dealt with under an alternative procedure if appropriate.

6.Legal action and advice

The complaint procedure is not a legal process. It is the formal process by which NCIUL will assess if procedures were followed properly, assess if it delivered services to its students satisfactorily and if grades were allocated fairly and reasonably thus reflecting the student's performance.

NCIUL recommends that students do not take legal action until the complaint procedure is completed. Should a student decide to take legal action or to contact the Open University before the complaint procedure is completed, NCIUL will ask the student to hold their action until all internal procedures have been completed. Under the terms of NCIUL complaints procedure legal representation is not permitted in the event that a complaint is brought forward.

7.Remedy

The student is invited to indicate the form of remedy which they seek. However

while NCIUL will take this wish into account in the resolution of the issue, this information is given without prejudice to the final solution.

8.Completion of procedures letter

When the complaint procedure is exhausted, a Completion of Procedures Letter setting out the problems and NCIUL's final decision will be sent to the student. The letter will also outline what additional steps may be taken should the student wish to pursue the matter further.

9.Review and monitoring

The Complaints Procedure will be closely monitored by the Registrar who will record each complaint.

The Academic Board will receive an annual report from each faculty, on the operations of the Students Complaints Procedure during the preceding 12 calendar months. The information collected will be used to gain a better understanding of the types of complaints that arise in order to improve on good practice.

10.Confidentiality

Complaints will be treated confidentially, impartially, constructively and in a timely manner. Details will only be shared with members of staff who need to access information in order to investigate issues. The aim of the procedure is to be clear and fair to all parties involved, and all parties involved in a complaint will be kept informed of the progress of the case at appropriate intervals during the process.

11.Time limits

A student's complaint must be raised within specific time limits as indicated by in Part 2 below. Should a complaint be received after the prescribed time limit has expired, it will not be considered unless there are exceptional circumstances.

12.Unacceptable behaviour

NCIUL is committed to providing a fair, consistent and accessible service for all students. While we understand that some complainants may be angry and use an offensive and abusive language, aggressive behaviour and/or threats

demands or persistence is not unacceptable.

If, after being given the chance to modify their unacceptable behaviour, a complainant or their representative continues in this manner, NCIUL will take appropriate measures, including referring students to the disciplinary procedures.

13.Submission of complaints

Students should follow NCIUL procedure in order to raise and submit complaints by submitting their complaint form to a senior member of staff/personal tutor or module leader. This will be acknowledged and referred to the Complaints Manager, and dealt with according to the procedures outlined below.

14.Complaints and admissions

NCIUL is committed to providing unsuccessful applicants with the opportunity to receive appropriate feedback about their applications. Applicants may request feedback about the initial selection decision, data protection legislation means that NCIUL is unable to respond to requests for feedback submitted by third parties. If you have grounds to believe that an academic decision relating to your admission application is wrong, you should notify the Institution within 28 days of the event.

NCIUL will provide its feedback about the application in a single written response within 20 working days of the date NCIUL received your notification. NCIUL regrets that it is unable to enter into a dialogue with applicants in the provision of feedback.

Part 2: Student Complaints

NCIUL aims to operate a system which:

- is evidence-based
- is conducted fairly, reasonably and in a timely fashion
- provides an opportunity for review if standards have not been met
- follows clear written procedures

Disabled students can request this procedure in an alternative format by contacting the Student Office.

1.Definition of a Complaint

A formal complaint is an expression of dissatisfaction with a service provided or the lack of a service. It must relate to services that students were led to believe would be provided.

2. Anonymous

Due to the nature of complaints, issues will need to be investigated, and full back-ground information and relevant evidence collected and examined, in order to enable resolution. As a result NCIUL will not accept anonymous complaints. Should a student wish to express an issue anonymously, they can do so by filling in the Student Feedback Questionnaire, bearing in mind that NCIUL cannot respond to anonymous complaints or anonymous feedback.

3. Time Limits

Complaints should be raised as soon as possible in order to enable prompt investigation and swift resolution. Students who wish to make a complaint must invoke the Informal Stage within 28 working days of the issue occurring.

If a complaint is received after the time limit has expired, it will not be considered unless a student can provide proof of exceptional circumstances.

NCIUL aims to deal with complaints within 15 working days from receipt of a formal or informal complaint; you will be informed if a time extension is required. NCIUL reserves the right to make a reasonable extension to this timescale during student vacation periods.

NCIUL cannot accept responsibility for issues that affect the outcome of a student's qualification if the student has delayed informing us about the issue until it is too late to address and solve it.

4. Third Parties

A complaint raised by a third party, including a parent, a legal adviser or a Member of Parliament, can be considered only with the student's written permission to give the third party the power to act on their behalf.

5. Group Complaints

Where appropriate, groups of students are permitted to make a collective complaint. In such instances, the group should identify a single individual they have chosen as spokesperson and delegate him/her in writing. The spokesperson will deal and correspond with NCIUL. Each member of the group must be able to demonstrate that s/he has been personally affected by the matter.

However, in instances where it is not suitable to deal with the complaint as a group, it will be treated as an individual complaint made by each member of the group. Students will be informed accordingly and will be allowed to state why the complaint should be dealt with as a group complaint.

6.Complaints about Multiple Issues

If a student complains about one issue but involving different service areas, the Complaints Manager will work together with the different departments and provide the student with a single response to their complaint.

If a student complains about two or more separate issues or involving different service areas, he/she will receive a separate response to each issue in their complaint.

7.The Complaints Procedure

The procedure involves three stages:

Stage 1 Informal complaints seek to resolve straightforward complaints swiftly and effectively when the complaint is made.

Stage 2 Formal complaints are appropriate where a student is dissatisfied with the outcome of Stage 1, or where early resolution is not possible or appropriate due to the complexity or seriousness of the case.

Stage 3 Complaints review enables a student who remains dissatisfied with the outcome of the formal complaint investigation to request a review of the decision by the Dean. However if the student remains dissatisfied at the completion of internal procedures, they are then able to complain to the Open University.

8.Stage 1: Informal Complaints

Many complaints can be resolved at an informal level between students and NCIUL in a fair and effective manner through faculty arrangements.

NCIUL encourages students to pursue informal resolution before starting a formal

complaint. Students can do so by contacting the Complaints Manager by email or face-to-face no later than 28 days after the event.

Stage 1 complaints are not formally recorded by NCIUL. However, a mutually-agreed note may be placed in the student's file as evidence of the complaint and subsequent resolution.

Informal resolution will remain an option at all stages of the procedure until the procedure has been exhausted. Resolution may be achieved by providing an explanation and/or an apology. In some cases, it may be appropriate to provide the student with a written outcome. Where a written outcome is required, this would normally be provided within 15 working days after the meeting.

Only when the informal channel is closed, will a student be allowed to submit a formal complaint in writing, should they be dissatisfied with the outcome of the informal complaint.

9. How to Raise an Informal Complaint

- 1) The student should explain their reason(s) for dissatisfaction, to the Complaints Manager and either by email or face-or-face and no later than 28 days after the event, providing supporting information/evidence where appropriate and suggesting a potential resolution.
- 2) The Complaints Manager will advise the student, within 5 working days of being alerted to a student's concerns, what action NCIUL intends to take, when the student should expect to receive a response and by what means.
- 3) Within 15 working days of receipt of a student's complaint, an outcome response (by email or letter) will be sent to the student. It will include a detailed response to the student's complaint(s) and will include a reference number. Until the student is in receipt of the reference number they will be unable to escalate their complaint to the formal stage.
- 4) If the outcome response is not sent within the 15 working day time limit, and the student has not received an explanation for the delay, he/she should contact the Student Office / Complaints Manager to discuss escalation of the complaint to the formal stage.

If an informal resolution is not possible, or if the student is dissatisfied with the informal resolution proposed, the student should be directed to the formal procedure.

If the student has not received an outcome response to his/her informal complaint, or declines to engage with any form of informal resolution, or they are dissatisfied with the outcome of the informal stage, Stage 2 will be applied.

11. How to Raise a Formal Complaint

To progress a complaint to Stage 2, the student is required to complete a Formal Complaint Form (see Appendix 1. FORMAL COMPLAINT FORM) (available online at <http://nciul.ac.uk/students-life/student-support/student-complaints-appeals/>).

Completing a Formal Complaint Form constitutes formalisation of a complaint, and all future correspondence regarding the complaint will be kept on record. The completed form should be sent to the Student Office.

The student raising a formal complaint will need to complete the Formal Complaint Form within 28 days of the date of the outcome response

1. The student should declare why the outcome to the informal stage has not resolved their complaint. The student must quote the reference number provided in the outcome response or provide evidence to show that the time limit for a response has passed. Failure to do so will result in the complaint not being accepted.
2. The student is requested to explain what they believe NCIUL could reasonably be expected to do to resolve the complaint.
3. The student should submit any new evidence which has not previously been submitted in support of their complaint.
4. The Complaints Manager will acknowledge receipt of the complaint within 5 working days of receipt of the student's complaint and inform the student involved if their complaint has been accepted, and if not, will explain the reason(s) why it has not. If a student's complaint is accepted the student will be informed when a full response can be expected. Usually this should be no more than 15 working days from the date of the acknowledgement, but an extension may be required by NCIUL.
5. Formal complaints are investigated by the Faculty Dean or nominated senior members of staff who will examine the evidence provided by the student and seek reports from members of staff as appropriate.
6. Once the internal review has been completed, the student will receive a Completion of Procedures letter that will summarise the nature of the complaint, a timeline of events, evidence which was taken into consideration, and the outcome of the complaint. The Completion of Procedures letter will usually be sent within 15 working days (see 4 above). Should a student's complaint be rejected, the Completion of

Procedures letter will explain the reason(s). If the student's complaint is upheld, the student will be informed of the actions being taken by NCIUL to solve the issue and to prevent a recurrence of similar issues in the future.

12.Stage 3: Requesting a Review

Once all stages of this Formal Complaint Procedure have been exhausted, students have the right to a further review thus invoking Stage 3 of the Students' Complaints Procedure. An application to the Complaints Manager must be made in writing within 28 days of the issue of a Completion of Procedures letter.

The complaint cannot be further investigated where a student has not completed all stages of NCIUL complaints procedure.

13.How to Request a Review

The student requesting a review must write to the Student Office/Complaints Manager within 28 days of the date of the Completion of Procedures letter.

The following information should be included when a student requests a review:

- Degree course and year of enrolment
- Department to which the complaint relates
- Underlying causes and remedial action taken or where no action was necessary
- Response times at each stage

The following information should also be included in the email or letter requesting a review:

1. An explanation of the reasons why the student is dissatisfied with the outcome to their complaint.
2. Provision of the grounds on which they believe NCIUL should review its decision, for instance if:
 - the outcome was not reasonable; or
 - the reasons for the decision were not fully and clearly communicated to the complainant; or
 - relevant evidence was not taken into account; or
 - irrelevant evidence was taken into account; or
 - there was bias, or the likelihood of bias, in making the decision; or
 - appropriate procedures were not followed at the formal complaints stage;

or

- new material evidence is presented which the student was unable, for valid reasons, to provide at the formal stage.

In order to be eligible for further consideration the student should provide a valid reason and supporting evidence to explain why. Failure to meet these requirements will result in the request for review not being accepted.

Once a student's request is received by the Student Office/Complaints Manager, the complainant can expect an acknowledgement of the request for review within 5 working days of its receipt. Within 15 working days of the acknowledgment, the Complaints Manager will write to advise the complainant whether or not the review request has been accepted. If it is not accepted, the student will be informed of the reason(s) for that decision.

Where a request for a review meets the requirements, the Dean or nominee will conduct a review. The Dean will look at all of the matters raised in the student's review and establish if the complaints procedure has been followed appropriately.

Within 10 working days of the date of the eligibility letter the Dean will complete a report which contains:

- A summary of the student's complaint and grounds for review
- The background to the student's complaint
- A decision as to whether the Associate Dean's (or nominated senior member of staff) decision should be set aside, set aside in part, or confirmed.
- An explanation of the reason(s) for the decision
- Recommendations for resolution, where appropriate

A copy of the report will be sent to the student and to the Associate Dean (or nominated senior member of staff).

If the decision of the Dean is to set aside the decision of the Associate Dean/Senior Member of staff in whole or in part, the complaint will be referred back to the Associate Dean/Senior Member of staff with recommendations for reconsideration of the complaint.

In that case the Associate Dean/Senior Member of staff will correspond directly with the student within 10 working days of the referral as to how they intend to implement the recommendations of the Dean.

Within 28 working days of the letter being received, the Complaints Manager will send a Completion of Procedures letter.

If the decision of the Dean is to confirm the decision of the Associate Dean, a Completion of Procedures letter will be sent to the student with the Dean's report.

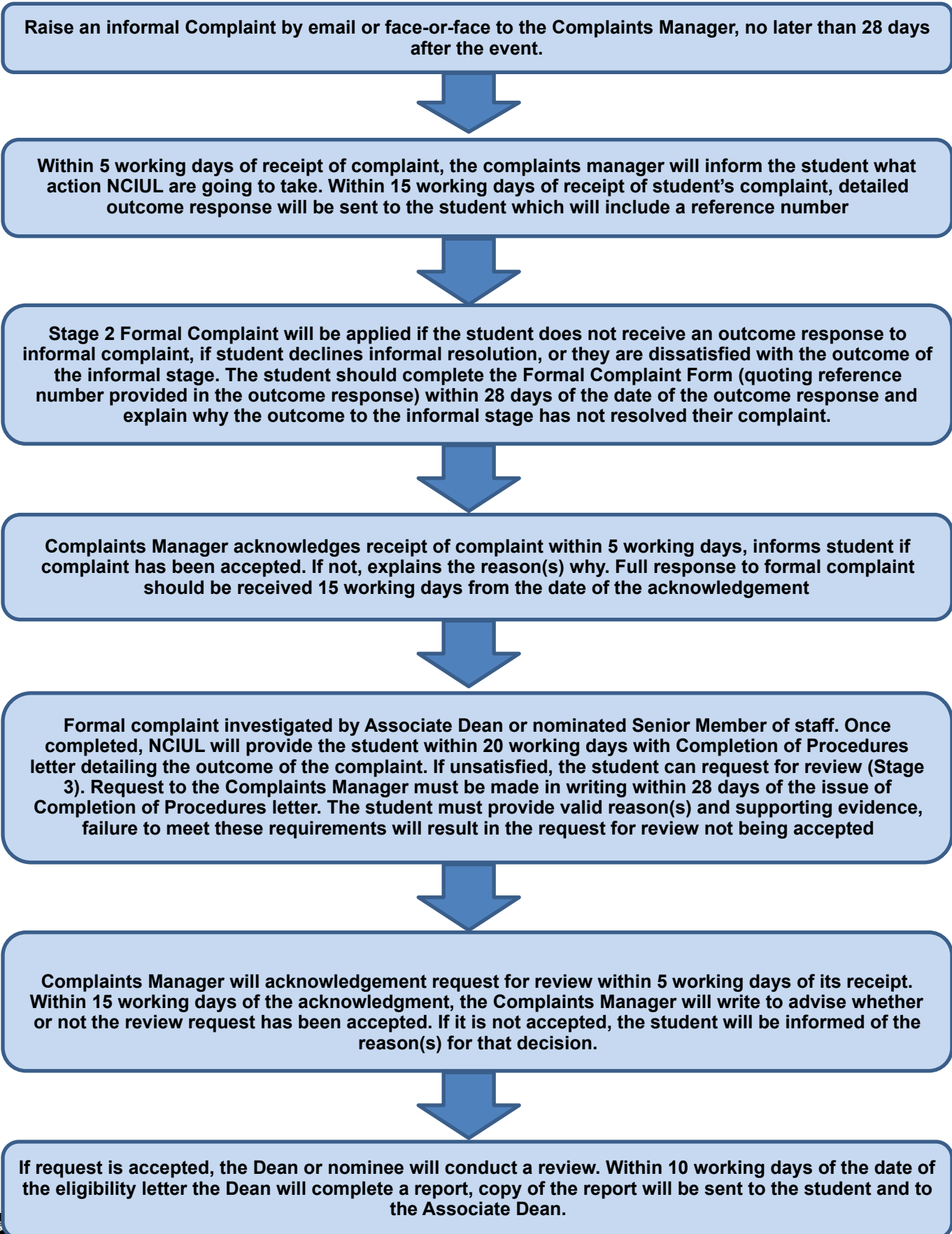
Although NCIUL will make every effort to meet the time limits set in this procedure, NCIUL reserves the right to use additional time for complex cases. If an exception to the standard time limit is needed, the complainant will be notified of this in writing and informed of when they are likely to receive an outcome response.

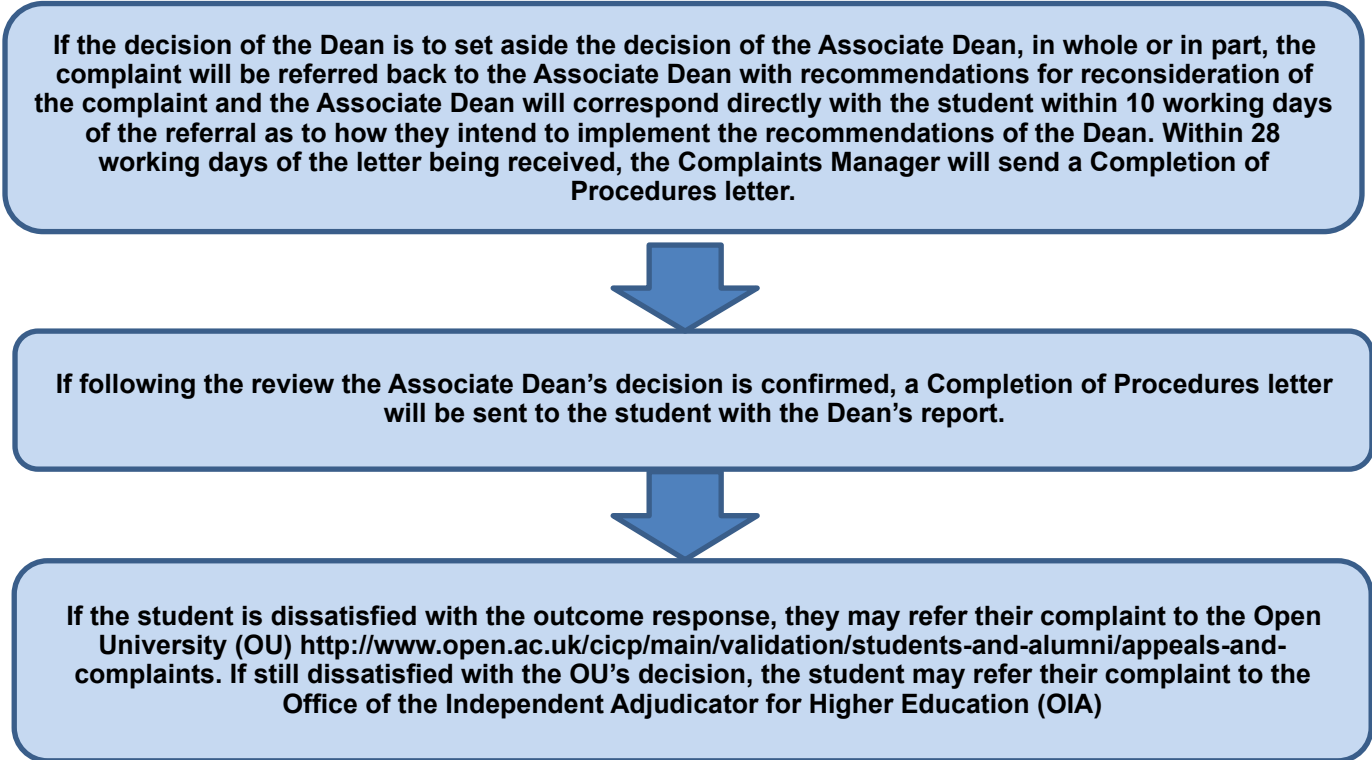
14. Completion of Procedures

The Dean is NCIUL's final authority in relation to student complaints. Once the student has exhausted NCIUL's Student Complaints Procedure, if they are dissatisfied with the outcome response, they may refer their complaint to the Open University (OU). The Dean's report will include the procedures to refer to the OU and further details for the OU can be also be found on their website: [http:// www.open.ac.uk/cicp/main/validation/students-and-alumni/appeals-and-complaints](http://www.open.ac.uk/cicp/main/validation/students-and-alumni/appeals-and-complaints)

If the student remains dissatisfied with the OU's decision, they may refer their complaint to the Office of the Independent Adjudicator for Higher Education (OIA) to apply for an independent review of the handling of their complaint. Contact details for the OIA can be requested from the Complaints Manager or from NCIUL's Student Office.

Flow Chart of Progress





Appendix 1. Formal Complaint Form

FORMAL COMPLAINT FORM

Students who wish to submit a formal complaint to NCIUL are advised to review the “Complaints Procedure for Students” prior to completing the complaint form. (<http://nciul.ac.uk/students-life/student-support/student-complaints-appeals/>).

Where appropriate, following informal attempts to resolve a matter of complaint (Stage 1), students may raise a formal (Stage 2) complaint to NCIUL by completing this complaint form. Information about informal resolution, the complaint form and guidance for completing the form are available at <http://nciul.ac.uk/students-life/student-support/student-complaints-appeals/>.

Personal Details	
Full Name:	Student ID No:
Degree or programme name:	Year of study:
Full-time/Part-time or Distance Learning	
<p>Contact Information: <i>(Please note that this is the address NCIUL will use while consideration of the complaint is underway)</i> <i>(Please tick the preferred method of communication, if any)</i></p> <p>Address:</p> <p>Telephone No:</p> <p>Email:</p>	

	<p>Disability</p> <p>Do you have a disability and do you require any additional support or assistance to use this form or the complaints procedure?</p>
	<p>Complaint Summary</p> <p>Please provide a clear and concise (no more than 500 words) statement of the main issues or areas of dissatisfaction to be investigated including the dates of key events.</p> <p><i>(Note: The “Complaints Procedure for Students” specifies that a complaint must be raised within 28 days of the events complained about unless evidence is provided of an exceptional reason for the delay)</i></p>
	<p>Informal Complaint Action (Stage 1)</p> <p>Please describe steps taken to informally resolve your complaint prior to making a formal complaint. Where an informal resolution was proposed, please state why it was not satisfactory. If you did not attempt to resolve your complaint informally please describe why, exceptionally, informal action was not appropriate?</p> <p><i>(Note: in certain cases, NCIUL may decide that attempts at informal resolution have not been fully considered and will notify you what further actions may be required.)</i></p>

	<p>Resolution Please describe what action you wish to see taken to address your complaint.</p>
	<p>Additional Complaint Information Please, if necessary and as briefly as possible, provide relevant and significant details about main issues leading to the complaint and their impact on you. <i>(Note: details provided in this section may not be directly responded to but will be considered as they relate to the main issues identified in the complaint summary.)</i></p>

<p>Supporting Information</p> <p>Please provide a list of all information submitted in support of your complaint.</p> <p><i>(Note: Relevant information (e.g. emails, reports, letters, supervision records, etc.) should be submitted as evidence of the main issues in the complaint summary and informal resolution attempts you made. You should make specific references to evidence submitted.)</i></p>	
<p>Declaration and Submission</p> <p>By signing this form, I confirm that I have read and understood the Complaints Procedure for Students. I have submitted this complaint following completion of the informal stage or I have provided reasons for why I did not consider informal resolution appropriate in the circumstances.</p> <p>I understand that in order to investigate my complaint, members of staff referred to in the complaint will be made aware of the contents of this form and additional information, if necessary, and that they will have an opportunity to comment as part of the appeal investigation.</p> <p>Regardless of the outcome, no student who brings a genuine complaint under this procedure will be disadvantaged by NCIUL.</p>	
<p>Signed:</p> <p>(or type your name if submitting electronically)</p>	<p>Date:</p>

When you have completed all sections please submit this electronically or in paper form together with any supporting information to:

Complaints Manager (Complaints and Appeals)
NCIUL
4 Selsdon Way
Northern & Shell Tower
London E14 9GL
Telephone: 020 3846 1730
Email: info@nciul.ac.uk

Name of policy or procedure:	Students Complaints Procedure
Document owner:	Registrar
Created:	09/2017
Last reviewed:	3/2019
Responsibility for review:	Registrar Academic Board Equality and Diversity Committee
Date of next review:	09/2019
Related documents:	Disciplinary Policy
Approved by:	Academic Board September 2017
Equality impact Assessment undertaken:	09/2017
Version	
V 2.1	Logo Changes