

# A14 Complaints

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## 1 Introduction

### 1.1 Policy Statement

SAE Institute is committed to providing a collaborative and collegial educational environment by undertaking all necessary actions to resolve complaints relating to academic decisions in a fair and expeditious manner or to any operations of SAE Institute in a fair and expeditious manner.

### 1.2 Purpose

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

This policy sets out to demonstrate a clear commitment to the prompt handling and resolution of all types of complaints, from the non-academic complaints and appeals to other than academic matters relating to results and progression.

### 1.3 Related Policies and Documents

This policy should be read in conjunction with the following:

- A01 Student Selection and Admissions Policy
- A03 Student Record Management and Data Processing Policy
- A08.3 Academic Misconduct
- A18 Student Code of Conduct.

## 2 Scope

This policy applies to all students of SAE campuses which are involved in the delivery of UK-validated provision, including students of any self-accredited diploma, short course, or other provision.

### 2.1 Academic Complaint

Circumstances may arise where a student feels that the published examinations or assessment procedures have not been correctly followed and ask whether a review of the outcome be merited. A request of this nature constitutes an academic complaint. Academic complaints may also relate to decisions regarding their progress in a course of study.

## 2.2 Non-Academic Complaint

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

## 3 Grounds for Lodging an Academic Complaint

Typical grounds for a student to raise an academic complaint may include:

- Their performance suffered in an assessment due to illness or other factors which they were unable to, or for valid reasons unwilling to disclose before the results were awarded.
- A complaint under such grounds will normally be dismissed without an acceptable explanation and evidence is given for not presenting the extenuating circumstances in advance of the results being awarded.
- An assessment or an academic decision was not conducted in accordance with SAE Institute programme regulations or procedures.
- There was a material administrative error in the conduct of an assessment or calculation of a grade.

Before raising an academic complaint, students should note that:

- An academic complaint regarding an assessment or examination decision, may only be raised once the result has been formally communicated to a student.
- Dissatisfaction with an assessment outcome is not grounds for an academic complaint.
- A complaint will not be accepted if it is based on a student's claim of ignorance of the rules or policies, or that they were unaware of the complaint procedure or their rights and responsibilities. This includes the process for presenting extenuating circumstances.
- If the complaint relates to an issue covered within or is associated with a non-academic complaint, then that complaint process should be fully completed before the academic complaint process will be initiated.
- If a student is in doubt which complaint their complaint falls into, this should be raised with the Academic Coordinator in the first instance who will determine the appropriate policy and process.

## 4 Key Principles

All complaints will be:

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

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

However, if it is found that the complaint is being made with vexatious or malicious intent, SAE may refer to the A18 Student Code of Conduct and consideration of their progression may be terminated. Vexatious or malicious complaints are defined as, but not limited to:

- Complaints which are obsessive, harassing or repetitive.
- Insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes.
- Insistence on pursuing what may be meritorious complaints in an unreasonable manner.
- Complaints which are designed to cause disruption or annoyance.
- Demands for redress which lack any serious purpose or value.

## 5 Policy Guidelines

### 5.1 General

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

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

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

- impact of serious events, for example pandemics
- vacant posts which are assigned to a complaint stage
- staff illness
- campus closures.

In a case where flexibility is introduced, SAE's aim is to resolve a complaint via the outlined stages but may have the involvement of different roles to those listed or an alternative procedure to that outlined in this policy. Where this is impacting on a case, the complainant will be notified of any procedural change.

## **5.2 Early Resolution**

Prior to lodging a formal complaint, students should discuss their concerns informally with the campus academic leadership (normally the Academic Coordinator). This should take place as soon as possible.

If this does not resolve the matter or is deemed to have been of significant gravity by the campus academic leadership, any formal complaint must be made in writing within ten (10) days either of the meeting, or if being questioned, the results having been received or after they have been confirmed by an Assessment Board. It is expected that queries with respect to results from the early stages of the program will have been raised informally and resolved at that time, and not left to challenge at a later stage of study.

## **5.3 Formal Complaint**

A formal complaint should include a detailed breakdown of the reasons for the complaint, with supporting evidence and documents, and in case of an academic complaint, comply with Section 3.

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

### *5.3.1 Investigation, Evidence and Record Keeping*

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

The investigation will be noted for the record, and all documents will be maintained and treated as confidential in accordance with SAE Institute's A03 Student Record Management and Data Processing Policy.

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

### *5.3.2 Right of Representation*

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

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

### *5.3.3 Timelines*

Complaints may be considered "out of time" if not received in writing within twenty-eight (28) calendar days of the incident to which they refer. SAE Institute will exercise discretion where there is good reason, supported by evidence, for late submission of a complaint. SAE Institute is mindful of its obligations under the Equality Act (2010) when considering whether there are exceptional reasons to accept a complaint outside the normal time limit, or whether it would be reasonable to make adjustments to procedures.

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

SAE aims to resolve all complaints within ninety (90) calendar days. In more complex cases, flexible deadlines may need to be used; where this is applicable, the complainant will be informed of revised timings. The 90-calendar day timeframe requires students to meet any deadlines set by SAE Institute for the submission of material. There will occasionally be

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circumstances when, for good reason, SAE Institute will need to extend the timeframe. Where this is the case, complainants will be notified and kept informed of progress.

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

#### **5.3.4 Complaint Outcome**

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

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

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

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

### **5.4 Collaborative Partner University Level Review (CPULR)**

#### **5.4.1 Middlesex University**

If the complaint relates to a programme validated by Middlesex University, the complainant may refer the complaint to Middlesex University once all SAE Institute internal complaints procedures have been exhausted. SAE Institute will inform a student if their case is eligible for an CPULR in the outcome of their complaint.

The external appeal to Middlesex process is outlined within the Middlesex University Regulations, Student complaints and grievance procedures section.  
<https://www.mdx.ac.uk/about-us/policies/university-regulations>



#### 5.4.2 *University of Hertfordshire*

If the complaint relates to a programme validated by the University of Hertfordshire, and the complainant is dissatisfied with the outcome of their appeal, they may initiate formal appeal proceedings with the University. Details of the procedures involved are available at:

[https://www.herts.ac.uk/\\_data/assets/pdf\\_file/0014/253121/UPR-GV15-Complaints-Policy-Non-Staff,-Non-Student.pdf](https://www.herts.ac.uk/_data/assets/pdf_file/0014/253121/UPR-GV15-Complaints-Policy-Non-Staff,-Non-Student.pdf)

### 5.5 Further Support

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

When SAE's internal procedures have been concluded, the final confirmation notification will include a Completion of Procedures letter, (CoP). Where a student remains dissatisfied with the final decision, they may raise this the OIA, and an OIA Complaint Form must be received by the OIA within 12 months of the date of the final letter of completion letter sent by SAE Institute. The form can be accessed by their website at: <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>.

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

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

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website:

<https://www.oiahe.org.uk/students/how-to-complain-to-us/>

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

## 6 Policy History

Policy Created:	July 2021
Date of Last Revision:	November 2021
Approved by:	UPSQC, November 2021

## Appendix A      Procedures for Raising a Non-Academic Complaint

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

### *Complaint authority levels:*

Early Resolution:	All staff
Formal Stage:	Academic Coordinator or Campus Manager
Appeal Stage:	Equivalent or higher position, with relevance to complaint.

### **A.1    Early Resolution Procedure**

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

If that process does not lead to a satisfactory resolution, the student should discuss the issue either with their student representative, a Student Support Officer, or their Lecturer/ Programme Coordinator.

This may involve referral of the complaint to third parties.

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

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

### **A.2    Formal Complaint Procedure**

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

The manager appointed to manage the complaint will:

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

The manager or another member of staff as delegated will also:

- Log the complaint in the Student Record System and any other relevant places, and keep this updated throughout the process, outlining the decision and any actions arising.
- Consider the recommendation of the Campus Manager.
- Ensure that the complaint is fully investigated and responded to within SAE Institute's timescales.
- Send the Completion of Procedures letter within twenty-eight (28) days of the complaint resolution if no appeal is made.

### **A.3 Appeals Process**

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

The appeal will be overseen by another Campus Manager, or appropriate senior member of SAE staff. The regional Dean and General Manager should be informed.

The senior manager appointed to review the appeal will:

- Acknowledge receipt of the appeal within seven working days.
- Inform all relevant parties that an appeal has been received.
- Review the case, and where necessary instigate further investigation.

- Decide upon one of the following actions:
  - To enforce the implementation of the recommendations made at the end of the Formal Stage.
  - Dismiss the case, giving reasons in writing.
  - Seek agreement to an alternative set of recommendations.
  - Determine whether there are enough grounds to convene an Appeal Panel and, if so, shall establish a Panel to hear the appeal.

#### Use of a Hearing Panel:

- Where the appeal requires more specialised knowledge or expertise, a panel of staff may be appointed to conduct an appeal hearing to consider the evidence and decide the outcome.
  - This will consist of up to 3 people, who have no actual or perceived interest in the complaint.
  - Appeal Panel hearings will take place on SAE Institute premises at dates and times notified in writing to the complainant, members of staff and other persons involved normally at least five working days before the hearing. Where meeting at an SAE Institute campus is not possible, an alternative delivery method may be put in place at the discretion of the senior manager.
  - Each party will be advised of the date of the meeting, the names of any persons the Panel intends to call to give evidence, together with the information which may be referred to at the hearing.
  - If the complainant or any respondent wish to introduce documents at the Panel, these must be submitted at least three working days before the date of the hearing.
  - The complainant may be accompanied by a support person, of whom their details (name, relationship to the complainant, and contact details) must be provided to the Chair at least 2 working days before the appeal date. This person cannot be a legal representative or a solicitor. The support person may not participate in the hearing.
  - The Chair may decide to give time to examine the documents by adjourning or delaying the meeting of the Panel for a period of up to five working days.
  - The Panel shall establish the exact nature of the complaint, establish the facts as far as it is possible to do so, consider the facts in good faith, determine its decision.
  - Where necessary, the decision will be agreed by majority vote.

#### Possible appeal outcomes will be:

- Uphold the original decision.

- Disagree with the decision and take formative action.
- Adjourn to request further information/investigation.

The appeal outcome will be advised to the student in writing within 10 working days of the appeal decision being made. If the complaint is not upheld, the student will also be issued with a Completion of Procedures letter within 28 days.

## **A.4 Collaborative Partner University Level Review (CPULR)**

### *A.4.1 Middlesex University*

If the complaint relates to a programme validated by Middlesex University, the complainant may refer the complaint to Middlesex University once all SAE Institute internal complaints procedures have been exhausted. SAE Institute will inform a student if their case is eligible for an CPULR in the outcome of their complaint.

The external appeal to Middlesex process is outlined within:

Middlesex University Regulations > Student complaints and complaint procedures - Complaints in relation to collaborative partner institutions.  
<https://www.mdx.ac.uk/about-us/policies/university-regulations>

### *A.4.2 University of Hertfordshire*

If the complainant is dissatisfied with the outcome of their appeal, they may initiate formal appeal proceedings with the University of Hertfordshire. Details of the procedures involved are available at:

[https://www.herts.ac.uk/\\_data/assets/pdf\\_file/0014/253121/UPR-GV15-Complaints-Policy-Non-Staff.-Non-Student.pdf](https://www.herts.ac.uk/_data/assets/pdf_file/0014/253121/UPR-GV15-Complaints-Policy-Non-Staff.-Non-Student.pdf)

## **A5 External Appeal: Office of the Independent Adjudicator**

As outlined in section 5.5 of this policy, SAE subscribes to the independent scheme for the review of a student complaint, the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at: [www.oiahe.org.uk](http://www.oiahe.org.uk)

- When SAE's complaint procedures have been concluded (including where applicable a CULPR), a student who is dissatisfied with the final decision on their case may be able to apply to the OIA within 12 months of the date of the final Letter of Completion.
- A student can fill in the OIA's complaint form online or download a copy from the OIA website:
- <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>.

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