



# Complaints Procedure for Students

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## Introduction

### Purpose

1. This procedure is for Students to raise complaints regarding academic/facility provisions or complaints about staff behaviour at Northeastern University London (the University).

### Scope

2. For the purposes of this Procedure, the term 'Student' means any individual registered with the University to study. This includes full-time and part-time students, undergraduates and postgraduates, work related learners and apprenticeship learners.<sup>1</sup>
3. The following people or groups can file a complaint through the Complaints Procedure for Students:
  - 3.1. Registered students.
  - 3.2. Students taking a break in their studies, or students on a temporary withdrawal, or on a temporary exclusion, or suspension.
  - 3.3. Groups of registered students.
  - 3.4. Former students, only if the complaint could not reasonably have been brought while they were a registered student.
4. For complaints about a student, such as a breach in one of the following policies, please refer to the Disciplinary Procedure for Students:
  - 4.1. Acceptable Use for Student (IT) Policy
  - 4.2. Bullying, and Harassment and Sexual Misconduct Policy
  - 4.3. Code of Practice on Freedom of Speech
  - 4.4. Communication Policy
  - 4.5. Equality, Diversity, and Inclusion Policy
  - 4.6. Library Fines Policy
  - 4.7. Misuse of Substances Statement
  - 4.8. Safeguarding Policy
  - 4.9. Apprenticeship learners with complaints about their apprenticeship in the workplace must refer to their own organisation's complaints and grievance policies

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<sup>1</sup> Apprentices may also contact the Apprenticeship Helpdesk on 08000 150400 or by email at [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk)

## Support for Complainant

5. The University acknowledges that raising a complaint can be a stressful and an anxious time for a student and can affect the health of the Complainant. Therefore, below identifies support available to students who are thinking about and submitting a complaint or have submitted a complaint. The staff identified below are not involved in procedure, either as Complaints Case Officer or panel member, and are therefore able to act as a Complainant's confidant.
  - 5.1. The Registrar is responsible for the administration of this procedure. The Registrar can provide guidance on the procedure, including timeline, outcomes, and appeals procedures (internally and externally).
  - 5.2. The Equality, Diversity and Inclusion Group (EDIG) can provide support to students complaining about bullying, harassment, and breaches of the Equality, Diversity, and Inclusion Policy.
  - 5.3. The University's Student Union can support students submitting complaints. The Complainant can contact any Student Union (SU) Officer they feel most comfortable approaching and be assisted throughout the complaints procedure, such as providing information or clarity about the procedure, support in raising and submitting the complaint, i.e., proofreading the complaint form. The SU Officers involved in supporting the Complainant will maintain confidentiality with regards to the nature of the complaint.
  - 5.4. Student Support and Development can provide pastoral and mental health support to students making a complaint, if required.

## Definitions

6. A complaint is defined, by the UK Quality Code,<sup>2</sup> as  
"A specific query about an aspect of experience of the provider."
7. The Office of the Independent Adjudicator defines a student complaint as:<sup>3</sup>

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<sup>2</sup> UK Quality Code Complaints Concerns and Appeals

<sup>3</sup> Office of the Independent Adjudicator and The Good Practice Framework

“An expression of dissatisfaction by one or more students about a university’s action or lack of action, or about the standard of service provided by or on behalf of the University”.

8. For the purposes of this Procedure:
  - 8.1. The party(ies) making the complaint will be known as the Complainant(s).
  - 8.2. The party(ies) being complained about will be known as the Complainee. In the case of a complaint made about a service, process or facility at the University, the manager or person responsible for the delivery of it will act as the Complainee in this procedure.

### Feedback or Complaint

9. Students have several channels to provide feedback to the University regarding their experience, for example through their Student Representative, Student Union, satisfaction surveys, or directly to a member of staff. For more information, please refer to [AQF10 Student Voice](#).
10. Complaints may relate to (though not be limited to):
  - 10.1. The teaching and learning experience of the student, e.g., quality of teaching, teaching facilities, or level of support.
  - 10.2. Services, e.g., access to WiFi on site, learning resource access, or access to core texts.
  - 10.3. Administrative services, (Registry, Student Support and Development, Finance Team, etc.) e.g., where emails or queries have not been answered in a timely manner.
  - 10.4. Staff, where their behaviour breaches one of the University’s policies.
11. Examples of complaints include:
  - 11.1. Failure by the University to meet obligations, including those outlined in programme or student handbooks.
  - 11.2. Misleading or incorrect information in prospectuses or promotional material and other information provided by the University.
  - 11.3. Dissatisfaction regarding the delivery of a programme, such as the quality of teaching or administration, including where either of these are provided by a collaborative partner of the University.

- 11.4. Failure by the University to deliver reasonable adjustments agreed to support the student learning experience.
- 11.5. Poor quality of facilities, learning resources, or services provided directly by the University.
- 11.6. Complaints involving other organisations or contractors providing a service on behalf of the University.
- 11.7. Complaints involving the behaviour of a member of staff of the University, partner organisations, or collaborative partners.

## Anonymous Complaints

- 12. Students should have the confidence and support to submit a complaint under this procedure. However, exceptionally, the University may decide to consider an anonymous complaint if the evidence submitted provides a compelling case. The Academic Dean of Northeastern University London will review the anonymous complaint and make the decision as to whether it should be investigated.
- 13. Anonymous complaints can only be investigated if substantial evidence is submitted, enabling a thorough review and investigation. Raising an anonymous complaint might impact the time it takes to investigate and might impede the communication of the outcome.

## Vexatious or Malicious Complaints

- 14. The University will not consider unsubstantiated complaints that it regards as vexatious or malicious. Complaints of this nature may result in disciplinary action under the [Disciplinary Procedure for Students](#).
- 15. A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy, or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome, or unwarranted.
- 16. A malicious complaint is one that is made with the intention of causing harm, for example
  - 16.1. Deliberately seeking to defame a peer and raising a complaint with this intent.
  - 16.2. Through lying about an issue or incident in the knowledge that this will cause harm.
  - 16.3. Through knowingly basing a complaint on rumour or gossip with the intention of causing harm.

17. If the Complaints Case Officer discovers the complaint submitted is either vexatious or malicious, they can instigate the Disciplinary Procedure for Students, using the evidence gathered from the complaint investigation.

## General Principles

18. The University is committed to ensuring a high-quality educational experience for its students, supported by appropriate academic, administrative and welfare support services and facilities. However, there will be instances when students may feel dissatisfied with the teaching and learning, facilities or services provided by the University or with the way the University or its staff have acted or omitted to act in its delivery of its services.
19. All complaints made by students are kept confidential. Only staff or students who are involved will be contacted, and they will be instructed that all details regarding the complaint are to be kept confidential.
20. Students will not be penalised in any way if they make a complaint. The documentation created from the complaint will be kept in accordance with the General Data Protection Regulation (GDPR). For further information, please see the [Data Protection Policy](#).
21. Complaints will be treated seriously, as expeditiously as possible, and in a consistent fashion.
22. Complaints will be treated in a rigorous and fair manner, with sensitivity to all parties concerned.
23. Submission of a complaint will be treated with transparency and impartiality, and not lead to recrimination or adversely affect academic progression.
24. Privacy and confidentiality will be maintained except where disclosure is necessary to progress the complaint.
25. Complaints will be dealt with having due regard to UK legislation.<sup>4</sup>
26. This procedure has been designed to give the students the opportunity to resolve the concern or complaint at the Early Resolution stage, should they agree.
27. The complaints procedure will normally be completed within 90 calendar days from the start of the Student Complaints Panel (SCP) stage.

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<sup>4</sup> Including GDPR 2018; The Consumer Rights Act 2015; Consumer and Marketing Authority

28. Students who are dissatisfied with the outcome, after exhausting the University's procedures, can appeal to the Office of the Independent Adjudicator (OIA).
29. Apprentices may also raise their apprenticeship concerns, complaints, and enquiries with the Education & Skills Funding Agency (ESFA), by contacting the apprenticeship helpline. The ESFA Guide to making a complaint can be found [here](#). The Helpdesk can be contacted by phone on 0800 150600 or via email [here](#).

## Making a Complaint

30. Students are encouraged to raise their complaint or concerns at the earliest opportunity, ideally at the time of the incident or as soon as possible after they experience the poor service or support.
31. A complaint will not normally be investigated if a period of three months has elapsed since the alleged action, which is the basis of the complaint, although the Academic Dean of Northeastern University London may exceptionally allow such a complaint to proceed, for example if the Academic Dean of Northeastern University London is satisfied there is a good reason that the complaint could not be submitted earlier.
32. The Procedure contains the following stages:
  - 32.1. Stage 1: Early Resolution (Voluntary)
  - 32.2. Stage 2: Student Complaints Panel

## Procedure

33. [Annex A](#) provides a map of the timeline for the procedure. It is the aim of the University to meet the guidance of the OIA's Good Practice Framework and complete the formal procedures within 90 calendar days. For the purposes of this procedure, the formal procedure commences as the complaint is made formal and the Student Complaints Panel is convened. The Early Resolution stage is not part of the formal complaint, but the University aims to have this stage completed within 28 calendar days of the complaint being submitted to the Registrar.
34. The Complainant should complete the [Complaint Form for Students](#) and submit it to the [Registrar](#) along with all supporting evidence.
35. The Registrar will appoint a Complaints Case Officer within seven calendar days of the complaint being submitted, who will review the

complaint form and evidence. The Complaints Case Officer will be a senior member of staff.<sup>5</sup>

## Initial Review

36. The Complaints Case Officer will take the following actions:
  - 36.1. Contact the Complainant to confirm that they have understood the matter correctly.
  - 36.2. Contact the Complainee to obtain their version of the incident.
  - 36.3. Contact any witnesses and request statements.
  - 36.4. Any other actions considered necessary to establish the facts of the case.
37. The Complaints Case Officer will only provide general information to the Complainant and Complainee about the conduct and progress of their information gathering until such time as they have concluded their review.
38. The Complaints Case Officer will have discretion to contact and obtain information from the Complainant, Complainee, and any witnesses in the manner they feel most appropriate in the circumstances, which may include email, phone calls, virtual or in person meetings.
39. After the review and if both parties agree, the Complaints Case Officer concludes that there is a case, it will progress the complaint to Stage 1: Early Resolution.
40. However, if the complaint is complex (e.g., multiple events and multiple parts involved), serious (e.g., University services breaching the Equality, Diversity, and Inclusion Policy), or either the Complainant or the Complainee do not agree to be part of Stage 1, the complaint will immediately progress to Stage 2: Student Complaints Panel.

## Stage 1: Early Resolution

41. This stage of the Student Complaints Procedure is designed to attempt to address complaints promptly and efficiently. This stage will act as a facilitation and/or conciliation phase.
42. This stage is voluntary and if either the Complainant or Complainee does not agree to the Early Resolution phase, the procedure will progress to Stage 2: Student Complaints Panel.
43. A meeting, either in person or virtually, will be held to discuss the complaint. The Complaints Case Officer will act as a facilitator and work alongside the Complainant and Complainee to resolve the Complainant's

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<sup>5</sup> Senior member of staff is defined as a Head of Faculty or a member of the Senior Management Team.

concerns before the complaint is escalated to Stage 2: Student Complaints Panel. Where a meeting is not practicable, the Complaints Case Officer can facilitate a resolution between parties.

44. The Complaints Case Officer may suggest actions to either or both parties to resolve the complaint which may include, but are not limited to:
  - 44.1. Providing more information or a more detailed explanation of the Complainant's concerns.
  - 44.2. Providing additional information uncovered in the course of the review.
  - 44.3. Proposing suggestions for enhancements or changes to practices, services, or processes.
  - 44.4. Proposing possible solutions or resolutions.
45. Either party may be accompanied by a friend, colleague, or a Student Union representative to any meetings at this stage.
46. The Complaints Case Officer will write a record of any meetings and any agreed outcomes.
47. The timeline for the review and conciliation/mediation process will normally be conducted in 14 calendar days. Additional time of seven calendar days will be available for exceptional circumstances where the Complaints Case Officer requires more time to speak to key individuals to gather additional information. If this additional time is required, the Complaints Case Officer will write to the Complainant and Complainee to inform them of the additional time required to make sure all relevant information is collected.
48. The Complaints Case Officer will be responsible for submitting the report to the Registrar within seven calendar days of completing the Early Resolution stage.
49. The Registrar will securely store the Complaints Case Officer's report. The Complaints Case Officer will be responsible for following up any actions and updating the Registrar of progression and completion of actions.
50. If an agreement is reached, the Complaints Case Officer will prepare an email which details resolution and both parties are asked to confirm agreement by return within 14 calendar days.
51. Agreed actions will be limited to things within the power of the Complainant or Complainee to change. University regulation and/or policy, change of marks, awards, or deferrals/referrals are not included.

52. If both parties are satisfied with the outcome of the Early Resolution stage, the Registrar will issue a Completion of Procedures (COP) letter to the Complainant.

## Stage 2: Student Complaints Panel

53. If the Early Resolution stage does not resolve the concern, or if the case is deemed too complex or serious by the Complaints Case Officer, or if either party does not want to pursue the Early Resolution stage, the Student Complaints Panel will be scheduled.
54. The Student Complaints Panel will consist of three senior members of staff, appointed by the Academic Dean of Northeastern University London. The Academic Dean of Northeastern University London will also appoint one of those members of staff to be the Chair. The panel members must be:
  - 54.1. From outside the area(s) complained about and have no previous knowledge of the complaint.
  - 54.2. Free of any bias or any reasonable perception of bias.
  - 54.3. Able to participate in the whole process for the final decision to be valid.
55. A member of professional staff will act as Secretary.
56. The Student Complaints Panel will review the submitted complaint form, additional evidence supplied by the Complainant at the time of submitting the complaint, and the Complaints Case Officer report and supporting evidence, including any proposed or completed solutions.
57. The Student Complaints Panel will only hear cases that have been referred by the Complaints Case Officer. The procedure is as follows:
  - 57.1. The Secretary to the Panel will schedule a panel meeting, which may be in person or online, as determined by the Panel Chair, and invite the Complainant and Complainee to attend, and each party will be given a full set of documentation (complaint form, supporting evidence, the Complaints Case Officer report, and additional evidence) and the list of panel members.
  - 57.2. Both parties are able to raise objections of the panel members, on grounds of bias or reasonable perception of bias. The objection is to be submitted to the Secretary, to be reviewed by the Panel Chair.
  - 57.3. Either party may be accompanied by a friend, colleague, or a Student Union representative.

- 57.4. If either party is unable to attend the panel meeting for good reason, the meeting can be rearranged. The rescheduling of the panel meeting requires approval from the Panel Chair. The request will need to be made in writing outlining the reason for the rearrangement of the panel meeting.
- 57.5. The Chair will decide the order of events and which party, including the Complaints Case Officer, will present their case first.
- 57.6. Both parties will have an opportunity to separately present their case and be questioned by the panel.
- 57.7. Each party can call existing witnesses and question them in front of the panel.
- 57.8. The Panel can question the witnesses without either party present.
- 57.9. The Panel can request for the Complaints Case Officer to attend the meeting and present their review.
- 57.10. The Panel will meet in private to reach its decision.
58. On completion of the review, the Student Complaints Panel will do one of the following:
  - 58.1. Declare the case justified.
  - 58.2. Declare the case partly justified.
  - 58.3. Declare that there is no case.
  - 58.4. Suspend the panel meeting and request further evidence.
59. The panel will find the complaint justified or partially justified if it is considered that the evidence presented identifies, on the balance of probabilities, that the Complainant has proved their case. The decision of the panel shall be that as agreed to by the majority of its members.
60. The decision of the panel, including the reason(s) for the decision, shall be communicated to both parties in writing by the Secretary, normally within seven calendar days of the meeting.
61. The panel may refer the case to the Disciplinary Procedure for Staff.
62. The Secretary of the panel will provide the Registrar with all panel documentation to store in accordance with the requirements of the GDPR.

### Powers of the Student Complaints Panel

63. In applying a remedy, the panel aspires to return the student to the position that they would have been in had the circumstances not

occurred.<sup>6</sup> The panel shall be able to propose any resolution to the Complainant that it considers reasonable and is within its powers to resolve a complaint which is upheld in whole or part. Where the SCP would wish to provide feedback or recommendations to particular areas of the University, this should be included within the SCP's decision for the attention of the Registrar.

## Appeals Procedure

64. The Complainant can appeal the outcome, using the [Appeal Form for Students](#), to the [Academic Dean of Northeastern University London](#) within 14 calendar days.
65. If the Complainant does not submit an appeal against the panel's decision within 14 calendar days, the Registrar will issue a Completion of Procedures Letter (COP) to the Complainant, advising that the procedure has been completed and of their right to refer the case to the Office of the Independent Adjudicator.
66. The Complainant may only appeal on one or more of the following grounds, which must be specified on the Appeal Form for Students:
  - 66.1. There has been a significant procedural flaw or irregularity that compromised the fairness of the process. (It shall be for the Complaints Appeal Board (CoAB) to determine whether any such irregularity or failure to observe the provision of the policy brings into question the decision of the hearing of the SCP.)
  - 66.2. New material evidence, which must be supported by explanation of why it could not reasonably have been provided at an earlier stage.
  - 66.3. There is a bias or reasonable perception of bias during the procedure.
  - 66.4. An outcome, decision and/or penalty, being unreasonable or disproportionate.
67. Following submission of an appeal, the Academic Dean of Northeastern University London will undertake a preliminary review of the appeal to determine whether, on the face of it, there are grounds.
68. Where the preliminary review identifies that the appeal does not have substance within the accepted grounds for appeal stipulated in paragraph 61 the parties shall be informed of the decision in writing and the

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<sup>6</sup> Putting Things Right

University will issue a COP advising that the procedure has been completed.

69. Where the preliminary review identifies that there are grounds for appeal, the appeal will be submitted to the CoAB.
70. The CoAB will consist of three new persons appointed by the Academic Dean of Northeastern University London. No person shall sit on the CoAB if they are directly associated (member of faculty currently teaching the student involved or a member of professional staff who is/has supported the student with the case) with the parties against which the appeal is made.
71. The CoAB's considerations will be limited to the grounds stated in the appeal and should not take the form of a rehearing. The CoAB will be provided with the report and evidence from the SCP but will not, at this time, interview the appellant or witnesses.
72. The CoAB may:
  - 72.1. Review the decision made by the SCP and either:
    - 72.1.1. Overturn the original decision and substitute such other remedy as it considers appropriate.
    - 72.1.2. Suspend the process requesting new or further information.
    - 72.1.3. Reject the appeal, in which case the original decision will stand.
73. The CoAB shall consider its decision and shall notify the appellant of the decision within seven calendar days. If the decision falls under 67.1.1, the other party will be notified as appropriate.
74. The decision of the CoAB shall be final and no further appeal to the University may be permitted. The Registrar will notify both parties that the internal complaints procedures have been completed and will issue a COP letter.

## Office of the Independent Adjudicator

75. At the end of the procedure, the Complainant will receive a Completion of Procedures letter. At this point if the student remains dissatisfied, they have the right to refer the decision to the OIA, within 12 months of the date of the Completion of Procedures letter. Details are available [here](#).
76. The Office of the Independent Adjudicator (OIA) is an independent body set up as a result of the Higher Education Act 2004 to run a student

complaints scheme. Membership of the OIA is a requirement of the Higher Education and Research Act 2017 and the Office for Students.

### Reporting, Monitoring, and Reviewing

77. The Registrar is responsible for monitoring the action and reporting their completion as part of the annual report to Academic Board.
78. The Registrar will report to Academic Board statistical information relating to complaints made by students and outcomes on an annual basis.
79. Academic Board will monitor the data and make recommendations as appropriate.
80. Academic Board will review the policy and procedures for their effectiveness.

### Designated Contact References

81. For complaints regarding Registry, the student should contact the Director of Academic Services.
82. For complaints regarding the Director of Academic Services, the student should contact the Chief Executive Officer.
83. For complaints regarding the Chief Executive Officer or any other member of the University's Executive Committee, the student should contact the Chair of NCH at Northeastern Limited Board of Governors (NCHNL Board).

### Areas of Complaint Not Covered by This Policy

84. For any complaints regarding decisions by the Progression and Award Board (academic progression), students should refer to the Academic Appeals Policy and Procedures.
85. For complaints about interactions with (an)other student(s) in residences, the student should contact the residence's manager.
86. For complaints about the Student Union, the student should refer to the President of the Student Union.
87. For complaints about the behaviour of (an)other student(s), the student should inform Registry, who will advise on whether the complaint comes under the Disciplinary Procedure for Students.

88. For students on degree apprenticeship programmes, if the complaint is about the employer, the employer’s complaints policy should be referred to and used.

## Version History

<b>Title: Complaints Procedure for Students</b>				
<b>Approved by: Academic Board</b>				
<b>Location: Academic Handbook/ Policies and Procedures/ General</b>				
<b>Version Number</b>	<b>Date Approved</b>	<b>Date Published</b>	<b>Owner</b>	<b>Proposed Next Review Date</b>
8.0	July 2022	August 2022	Director of Academic Services	April 2023
7.0	September 2021	September 2021	Director of Academic Services	April 2024
Formerly the Student Complaints Policy and Procedures				
6.1	October 2020	October 2020	Head of Quality Assurance	April 2023
6.0	September 2020	September 2020	Head of Quality Assurance	April 2023
5.2	December 2019	December 2019	Head of Quality Assurance	April 2022
5.1	October 2019	October 2019	Head of Quality Assurance	April 2022
5.0	May 2019	June 2019	Head of Quality Assurance	April 2022
Referenced documents	Disciplinary Procedure for Students; Academic Appeals Policy and Procedures; Disciplinary Procedure for Staff, Appeal Form for Students			
External Reference Point(s)	UK Quality Code Theme: Concerns, Complaints and Appeals; General Data Protection Regulation (GDPR); Office of the Independent Adjudicator; The Higher Education and Research Act 2017; Higher Education Act 2004; Office for Students; EFSA			

## Annex A: Proposed Timeline of Procedure

Activity	Number of calendar days	Total number of calendar days
Complaint submitted		Day 0
CCO appointed	7	Day 7
CCO investigation & Early Resolution Phase ( <i>Extraordinary additional time</i> )	14 (7)	Day 21 (28)
CCO report and evidence submitted to Registrar	7	Day 28 (35)
<b>Progresses to Formal Complaint</b>	-	<b>Day 0</b>
Panel selected	7	Day 7
Panel meeting scheduled (minimum 14 calendar days' notice of agreed panel)	14	Day 21
Panel outcome report sent to student post panel meeting	7	Day 35
Student right to appeal	14	Day 42
Appeal Review	14	Day 58
Complaints Appeal Board scheduled	7	Day 65
CoAB Outcome sent to student	14	Day 79