



Oakswood College

Empowering Through Education



Student Complaints

Policy and Procedure

PROMOTING EXCELLENCE • ENSURING COMPLIANCE
SUPPORTING OUR COMMUNITY



GOVERNANCE



QUALITY



COMPLIANCE



EXCELLENCE



Oakwood College

Empowering Through Education

(Trading name of Oakwood Group Ltd)

Student Complaints Policy & Procedure

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1. Introduction

1.1 Oakwood College (“the College”) understands the importance of the dialogue between an institution and its students, and we welcome the feedback and learning opportunities that this provides. A key part of this dialogue is ensuring we have a fair and user-friendly procedure for students to use in resolving issues of concern and complaint. This Policy and Procedure comprises the processes, informal and formal, that College students must use to raise and resolve a complaint.

1.2 Under this Policy, a student complaint is defined as:

‘an expression of dissatisfaction raised by a student, or recent former student, about an action, decision, or omission by Oakwood College (or its partners where an issue of complaint falls within the scope of this Policy), where the student seeks a response or remedy in resolution of the issue of complaint.’

1.3 A complaint can be submitted to the College to raise an issue of complaint which took place at a time when the complainant (or group of complainants) was a student of the College, including those who were on temporary withdrawal at the time of the act or omission. Oakwood College graduates have recourse to this Student Complaints procedure for up to two months following the publication of their final grades.

1.4 Guidance for students wishing to make a formal complaint can be found

1.5 This Student Complaints Policy and Procedure is designed in accordance with the [OIA’s Good Practice Framework](#) and its principles. This means this Policy and its procedures are designed to be:

- Accessible and clear
- Fair, independent and confidential
- Inclusive
- Flexible, proportionate and timely, and to
- improve the student experience

KEY INFORMATION FOR STUDENTS ON USING THIS POLICY AND ITS PROCEDURES:

1. There are 3 stages to the Student Complaints Procedure:

- **STAGE 1:** Informal Stage
- **STAGE 2:** Formal Complaint
- **STAGE 3:** Request for Review of Stage 2 Outcome

- 2. Most issues of complaint can be resolved without resorting to submitting a formal complaint.** In many cases issues or concerns can be resolved via an informal discussion with an appropriate member of staff (Stage 1: the informal stage of the procedure), and if the matter is unresolved a formal Stage 2 Complaint can be submitted.
- 3. The College expects students to attempt to resolve complaints informally first under Stage 1 of this procedure.** If a formal complaint is submitted without an informal resolution being attempted, the College will normally redirect the complaint into Stage 1 of the Procedure, unless it would be inappropriate to attempt to resolve the issue(s) of complaint informally (e.g. if the complaint being raised is very complex).
- 4. To make a formal complaint, students must use the Student Complaint Form of the website.** [Student Support Section](#) of the website.
- 5. Students can raise a Group complaint under this Procedure** (see ‘Group Complaints’ in Section 11 of the Policy). In this event, a ‘Lead student’ must be nominated to informally raise the complaint under Stage 1, and/or to formally submit the complaint under Stage 2, and if relevant to progress the matter under Stage 3, as well as to correspond with the College in respect of the Complaint at all stages.
- 6. When a formal complaint is made to the College, the College will normally refer to the student(s) raising that complaint as ‘the Complainant’.** Students may see this term in correspondence they receive from the College, including in any investigation reports or Outcome Letters at any stage of the procedures under this Policy, including Stage 1.
- 7. Even where a complaint is resolved informally, students will normally receive an email from the College confirming the outcome of Stage 1.** This correspondence will also provide information about escalating the complaint to Stage 2 should they remain dissatisfied.
- 8. The College will ensure that in the investigation of formal complaints or reviews of Stage 2 outcomes under this procedure, the persons conducting those stages of the procedure will have had no prior involvement in the matter(s) of complaint being investigated/reviewed.**
- 9. The College understands that students might not be sure about what process or procedure to use to raise an issue and students will never be disadvantaged by the College for using ‘the wrong procedure’ to raise a concern or complaint.** Any issues of concern can be informally raised under this procedure, but where appropriate the College will redirect these into informal/formal processes under other College policies.

For example, if a student raises an issue under Stage 1 of this Procedure about lawful freedom of speech being restricted, and it is not informally resolved to the student's satisfaction, they may escalate their complaint to being a formal complaint. However, they would normally be expected to use the College's Freedom of Speech Complaints Procedure to do so.

10. A request for a review is not a request to automatically overturn the Stage 2 decision and/or findings; rather, it is a request for the Stage 2 decision and/or findings to be looked at again. This means that a request must be made under one or more of the specific grounds set out in Section 14 of this Policy 'Stage 3 Request for Review'.

11. Once the internal complaint procedures under this Policy have been exhausted (i.e. once Stage 3 has been concluded and there are no further internal procedures under this Policy that can be followed), the College will issue the Complainant with a Completion of Procedures Letter. This is often referred to as a 'CoP' Letter, and it will be issued within 28 days of the date of the Stage 3 Outcome Letter. Once a student receives a CoP Letter, they have 12 months from the date of that letter to take their case to the Office of the Independent Adjudicator (OIA), which is the English ombudsman for student complaints in higher education.

12. If a student feels they do not meet any of the Stage 3 grounds to request a review of a Stage 2 outcome but are dissatisfied with the Stage 2 outcome, they can request an early CoP letter be issued. Further information can be found in Section 15 'The Office of the Independent Adjudicator and Completion of Procedures' in this Policy.

2. Scope of this policy and procedure

2.1 This Student Complaints Policy & Procedure covers the following types of complaint:

| Type of Complaint Covered by this Policy | Key information |
|--|--|
| Academic Complaint | This is the expression of a specific concern about the provision of a course, programme or related academic service (e.g. tuition, supervision, organisation or management of the course). |
| General Complaint | This broadly covers any concerns pertaining to a student's non-academic experience at Oakwood College. |
| Complaints about staff | These can be quite sensitive complaints, and the College understands that students may not feel able to raise or resolve these informally. This policy and procedure can be used to raise |

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| | complaints about staff and anticipates these may likely be raised as a formal Stage 2 complaint without an informal resolution attempt. Complaints about staff may as necessary be referred into the College’s HR procedures to be investigated and concluded. |
| Complaints about sexual misconduct, any type of harassment, or other unacceptable behaviours | Students can use this procedure to make a complaint about harassment, sexual misconduct and/or other unacceptable behaviours however such issues may as necessary be referred into other procedures (such as the Sexual Misconduct, Harassment & Unacceptable Behaviours Policy and Procedure, or the Non-Academic Misconduct Procedure) in order that they can be dealt with appropriately. Where this occurs, the procedures under this Policy will normally be placed on pause (whether they have formally begun) whilst other procedures are conducted instead, or they will be terminated where matters are wholly referred to be resolved under other College procedures. |
| Complaints that lawful Freedom of Speech has been restricted | The procedures under this Policy can be used to raise a complaint of this nature but such complaints will normally be referred into the Freedom of Speech Complaints Procedure to be investigated and dealt with. Where a complaint is made under this Policy and Procedure comprising several different issues including that lawful freedom of speech has been restricted, The College may separate out those issues and refer such allegations them into the Freedom of Speech Complaints Procedure, or they may be considered under this Policy and Procedure together with the rest of the complaint. |
| Placement issues | This Policy and Procedures can be used to make a complaint regarding any placement issues, however matters may as necessary be referred into a Placement Provider’s complaints procedure where applicable. In this event, the procedures under this Policy may be paused, or terminated where the matter falls outside the scope of this Policy. |

2.2 This Student Complaints Policy & Procedure does not cover the following types of complaint:

| Type of Complaint NOT Covered by this Policy | Key information |
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| Academic Appeal | <p>This is a request for a review of a decision about student progression, assessment marks and awards. For these issues, the Academic Appeals Procedure should be followed.</p> <ul style="list-style-type: none"> ○ Where a student lodges an academic complaint that, on review by Oakwood College, is determined to fall within |



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| | <p>the scope of an academic appeal, Oakwood College will normally refer that complaint into the Academic Appeals procedure. This may mean the College’s consideration of the case is deferred until such time as the Academic Appeals procedure is normally applicable.</p> <ul style="list-style-type: none"> ○ Where a student lodges an academic complaint that is found by Oakwood College to be justified or partly justified and Oakwood College finds the appropriate resolution would require the setting aside of an academic result or decision already made and approved by an Examination Board and Assessment Board, the complaint may either: <ul style="list-style-type: none"> ▪ be referred and fast-tracked into the later stages of the Academic Appeals procedure, or ▪ Oakwood College may call for Chair’s Action by the Chair of the Examination Board and Assessment Board to set aside the original result. In such an instance, the work will be remarked and then ratified at the next available Examination and Assessment Board. |
| <p>Admissions Decisions or Issues</p> | <p>Appeals and complaints about an admissions decision or any issues with the admissions process must be raised under the College’s Admissions Appeals & Complaints Procedure within the relevant timescales published in that Policy and in accordance with that Policy’s procedures.</p> |
| <p>Academic Judgement</p> | <p>Decisions of academic judgement, including fairness of marks awarded, cannot be challenged under this Policy and Procedure. Disagreement with a mark or classification does not constitute any ground of appeal or complaint. Where a student believes that they may have grounds for any mark awarded to be reviewed, an appeal should be made via the Academic Appeals Procedure under one or more of the relevant grounds.</p> |
| <p>Non-Academic Misconduct findings/penalties</p> | <p>Complaints/appeals against decisions, findings and/or penalties made under the Non-Academic Misconduct Policy & Procedure should be raised under the relevant appeal processes set out in that Policy.</p> |
| <p>Complaints regarding issues that are subject to legal action or investigation</p> | <p>Matters of complaint that are already or become the subject of legal proceedings or Police investigations cannot be investigated under this Procedure until and unless such proceedings and investigations have concluded. Where such complaints are</p> |

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| | submitted, the College will either terminate this procedure or pause it until the legal/police proceedings have been concluded, at which point the College will determine if it is reasonable to recommence any procedures under this Policy. Where the College determines that a complaint cannot be considered after legal/Police proceedings have concluded, a Completion of Procedures Letter will normally be issued, setting out the reason(s) for this decision. |
| External/Partner institution issues | Complaints about services or teaching delivered by partner organisations will not normally be considered, unless Oakwood College has some demonstrable responsibility regarding those issues. |

3. Principles: fairness, bias, reasonable adjustments

- 3.1 Oakwood College will investigate complaints in line with the rules of procedural fairness and the principles set out in the OIA's Good Practice Framework.
- 3.2 Complaint Investigators and Decision Makers will consider issues without bias; they will not have been previously involved in making decisions about the specific matters complained about, and they will give reasons for their decisions.
- 3.3 Complaint Investigators and Decision Makers will be allowed to reach their decisions without undue or inappropriate influence or pressure from other individuals. Decisions made by Complaint Investigators and Decision Makers will stand until and unless overturned in a later stage of the procedures under this Policy, or in the event of directed change from a statutory/regulatory body, such as the OIA or OfS.
- 3.4 The College will make reasonable adjustments to these procedures when it is reasonable to do so to prevent any student from suffering a substantial disadvantage as a result of a disability or other condition/circumstance falling under the Equality Act (2010).
- 3.5 Students requiring reasonable adjustments should let staff who are conducting the procedures under this Policy procedure know if they require any reasonable adjustments. Staff may hold a discussion with students about what adjustments might be necessary and reasonable, and to facilitate matters may act on a student's behalf in liaising with other College staff about putting reasonable adjustments in place.

- 3.6 Student complaints usually provide points of learning and opportunities to the College for reflection, such as where improvements might be made in any context. Even where a complaint is found to be not justified at any stage of the procedures, this does not preclude the College from making recommendations, taking actions or implementing initiatives as a result of insights gained from the investigation and/or review of a complaint.

4. Advice and guidance on making a complaint

- 4.1 If a student is unsure who to raise a concern with in order to resolve the problem, advice can be sought from Student Support staff. Students are encouraged to seek guidance both before and during the use of this procedure from staff at Oakwood College, such as tutors, Course Leaders or Student Support staff.
- 4.2 As the College is a small organisation, if there is any possibility of a conflict of interest between the person from whom the student seeks guidance and individuals involved in investigating the complaint, all parties will be informed appropriately and Oakwood College will ensure alternative arrangements are in place to resolve this issue. This may include, as relevant, the use of External Officers to ensure procedural fairness, rigour and integrity (see below).

Use of External Officers to ensure independence, impartiality and fairness in procedures

- 4.3 Where appropriate and necessary, Oakwood College may appoint External Officers to act as independent investigators or advisers to ensure impartiality, manage conflicts of interest, or provide specialist expertise. This includes engaging External Officers to independently support and advise students using the procedures under this Policy.
- 4.4 Where appointed as investigators at Stage 2, they are responsible for gathering and assessing evidence, meeting with relevant parties, and producing a clear, reasoned report that sets out the findings of fact, identifies any procedural or behavioural concerns, and highlights applicable policies or regulations. Where an External Officer is engaged by the College as an investigator, they do not advocate for either party but instead focus on establishing an accurate, balanced account of events and any underlying systemic issues.
- 4.5 Where they are appointed to act as Stage 3 Reviewers under this Policy, External Officers are responsible for weighing the evidence presented, applying the relevant regulations and policies, taking account of any relevant external requirements, and reaching a fair, proportionate outcome that is clearly explained and appropriately recorded. Their role includes ensuring that the process remains procedurally fair, that parties are given a reasonable opportunity to present their case, and that decisions are consistent with comparable cases. Oakwood College retains overall responsibility for the process and

outcomes, but delegates defined decision-making authority to External Officers through formally approved terms of reference.

5. Anonymous complaints

5.1 Oakwood College will review all anonymous complaints received, however there is a strong likelihood that we will not be able to take any action as we have a duty to deal with allegations in a fair and reasonable way, in accordance with the principles of natural justice.

5.2 Natural justice means:

- decision makers must come to matters without bias or a reasonable perception of bias;
- each party must have a fair hearing;
- the process must be completed without delay;
- and decision makers must make reasonable decisions and give reasons for those decisions.

5.3 Anonymous complaints that contain allegations against one or more individuals may not be able to be reasonably investigated as anyone facing an allegation against them has the right to the full information concerning that allegation, including who is making it against them. If the College receives an anonymous complaint, whilst it is unlikely to be able to investigate or act on it, it will always consider whether or not any action can and should reasonably be taken, using a risk-based approach.

6. Vexatious, frivolous or malicious complaints

6.1 Oakwood College anticipates that most students using these procedures are doing so because they have valid concerns or that they believe they have a genuine issue of complaint.

6.2 However, there may be occasions where a complaint has been made without foundation (frivolous) or made in bad faith (vexatious and/or malicious), or the Complainant acts in an unreasonable manner in pursuing their complaint with the College (vexatious).

6.3 Examples of vexatious, frivolous or malicious complaints include, but are not limited to:

- complaints that are obsessive or repetitive in nature;
- complaints that are harassing of complaint investigators;
- insistence on pursuing complaints in an unreasonable manner;
- insistence on pursuing complaints that have no merit;
- insistence on pursuing unreasonable and/or unrealistic outcomes;
- complaints which are designed to cause disruption and/or annoyance;
- unreasonable or disproportionate demands for compensation or redress;
- demands for compensation or redress which lack any serious purpose or value;

- ‘counter- complaints’ received in response to allegations where, on the balance of probabilities, if the allegations had not been raised those counter-complaints would not have been made.

6.4 Where the College determines that a complaint is frivolous, vexatious and/or malicious, this will normally result in the College terminating these procedures (regardless of the stage the complaint is at) and its consideration of the complaint. At this point a Completion of Procedures Letter will be issued, setting out the reason(s) why the complaint and these procedures have been terminated.

7. Burden of proof

7.1 All decisions and findings reached at any stage of the procedures under this Policy are made on the **balance of probabilities**. This means that any decision-maker in these procedures (e.g. the Stage Two Complaint Investigator) must reach a conclusion - on the basis of the evidence considered – as to whether a reported issue/allegation, and any surrounding circumstances/incidents/contexts, has more likely than not occurred, in order to determine whether there is sufficient justification to uphold or partly uphold the complaint.

7.2 In reaching all decisions under this Policy and Procedure, decision-makers at all stages will work with this burden of proof and will take into account whether it is more likely than not that any reported events occurred as has been reported, based on the available evidence. Evidence includes, but is not limited to, verbal and written testimonials, documentary evidence (including digital/hard copy), and any relevant information provided or uncovered as a result of a complaint being raised with the College. Evidence also includes any other information that is found by the College to be material or relevant to any decision reached under the procedures of this Policy.

8. Timescales

8.1 Oakwood College will follow the timescales and procedures set out in this Policy. We will normally complete all complaints within 90 days of the date of receipt of a formal complaint. However, there may be circumstances when the complaint may unavoidably take longer than would normally be expected (e.g. if other procedures place this procedure temporarily on pause).

8.2 Oakwood College will ensure that students are kept informed in the event of any delay and receive regular updates so that they are aware we are still dealing with their complaint even where we have no further news at that time.

9. Late informal (Stage 1) complaints

- 9.1 Issues of complaint that are raised informally under Stage 1 of this procedure more than 2 months after the issue(s) of complaint first arose will normally be considered as a late complaint, unless they fall within the scope of the Policy on Sexual Misconduct, Harassment & Unacceptable Behaviours, in which case they will normally be directed into the disclosure management procedures under that Policy.
- 9.2 Where a late informal complaint is raised with Oakwood College, reasonable endeavours will nonetheless be made to informally resolve the issue(s) of complaint. However, in the event that the issue(s) cannot be informally resolved to the satisfaction of the Complainant, they may submit a Stage 2 Formal Complaint together with an explanation of why they were unable to submit this within the normal 2 month deadline for making a Formal Complaint.
- 9.3 Students should be aware that efforts by Oakwood College to informally resolve a late Stage 1 Complaint are no indication that a late Stage 2 Formal Complaint will be accepted or considered.

10. Late Stage 2 Formal Complaints/Stage 3 Requests for Review

Late Stage 2 Complaints

- 10.1 Stage 2 Formal Complaints should normally be submitted within 2 months of the date that the issue(s) of complaint first arose, even where the Complainant has been endeavouring to resolve the complaint issue(s) informally. Where a formal Stage 2 Complaint is submitted more than 2 months after the date the issues first arose, this will normally be deemed to be a late complaint and thus ineligible for consideration at Stage 2. However, where a late Stage 2 Complaint is submitted and the Complainant has been endeavouring to resolve the complaint informally with Oakwood College, the Head of Quality Assurance and Information Systems (Head of GQC & IS) will normally accept the complaint for consideration and appoint a Stage 2 Complaint Investigator.
- 10.2 In exceptional circumstances, Head of GQC & IS will exercise their discretion and may determine that a late complaint should nonetheless be accepted for consideration.

Late Stage 3 Requests for Review

- 10.3 Stage 3 Requests for Review should be submitted within 14 calendar days of the date of the Stage 2 Formal Complaint Outcome Letter. Stage 3 Requests for Review received after this deadline will normally be deemed to be late and will not be accepted for consideration. In

this event, Oakwood College will issue a CoP Letter to the Complainant (see Section 15 'The Office of the Independent Adjudicator and Completion of Procedures'). In exceptional circumstances, the Head of GQC & IS may exercise their discretion and accept a late Stage 3 Request for Review if they are satisfied that the case warrants this discretion.

Student Complaints Procedure

11. Overview of Student Complaints Procedure

11.1 The Student Complaints Procedure is a three-stage procedure:

- **Stage 1: Informal Stage**
- **Stage 2: Formal Stage**
- **Stage 3: Request for Review**

Group complaints

11.2 Where a group of students wishes to make a formal complaint, the group should nominate a 'Lead Student' with whom Oakwood College will liaise regarding the complaint, and who will be responsible for submitting the Student Complaint Form to the College. The Lead Student is responsible for also ensuring that the Student Complaint Form is fully completed, that all students involved in making the complaint are clearly listed, and that the content has been agreed by all students involved in raising the Group Complaint.

11.3 Where an individual student involved in a group complaint wishes to withdraw from that complaint, they have the right to do so and must inform both the Lead Student and the College in writing via email that they wish to withdraw from a Stage 1, Stage 2 or Stage 3 Group Complaint. The Lead Student must then remove the individual student from any contact lists they hold regarding the Group Complaint. The Lead Student can seek advice from the College staff member/External Officer handling the relevant stage of the Complaint should they have any queries about this process.

11.4 When a Group Complaint is received, whilst the College will liaise with the Lead Student throughout the course of the Stage 2 procedure during the investigation of the complaint, and similarly during the Stage 3 Request for Review procedures, the Stage 2 Investigator or Stage 3 Reviewer will send the relevant stage outcome letter to all students involved in the complaint.

12. Stage 1: Informal Stage

12.1 The College normally expects students to use this informal stage of the procedure before progressing to the formal stage (Stage 2 of the Student Complaints Procedure). If, after attempting to resolve the issue informally the student is not satisfied, the issues can be escalated under the Stage 2 (the formal stage) of the Student Complaints Procedure.

- 12.2 However, for serious or complex complaints, the College recognises that it may not be appropriate for a student to endeavour to resolve their complaint informally. In this instance, students are welcome to escalate their case immediately to Stage 2 of the procedure (Formal Complaint), providing their reason(s) why they did not attempt to resolve the complaint at Stage 1 in the Student Complaint Form. The Stage 2 Investigator will review this information on receipt of the Student Complaint Form. Where the Stage 2 Investigator deems it appropriate, they may refer the complaint back to Stage 1 (see section Stage 2: Formal Stage for further details).
- 12.3 Where a Stage 2 complaint is received and there has been no apparent attempt to resolve the matters of complaint informally at Stage 1 but the Stage 2 Investigator deems this would have been appropriate, the complaint will normally be referred back to Stage 1 of the procedures. In this instance, if they are dissatisfied with the Stage 1 resolution/outcome, the student will retain the right to submit a Stage 2 complaint without prejudice once Stage 1 of the procedure has been completed.

Stage 1 procedure

- 12.4 At Stage 1, the student should attempt an informal discussion with the appropriate member of staff. Any resolution and/or agreements reached are likely to be done so in person/verbally, but the member of staff is normally expected to follow up via email to confirm the outcome and any resolutions reached, and inform the student of their right to progress to Stage 2 of the Student Complaints Procedure if they are not satisfied.
- 12.5 Where the student does not want to, or cannot, raise a concern, or it has not been possible to resolve the matter via the informal approach, a formal complaint should be raised under Stage 2 of this Procedure. In this event, the student should explain in the Student Complaint Form their reason(s) for not pursuing the complaint under Stage 1.

13. Stage 2: Formal Stage

- 13.1 All Stage 2 formal complaints should be submitted using the Student Complaint Form, to the Head of Governance, Quality, Compliance & Information Systems who will either act as the Stage 2 Complaint Investigator or will nominate another member of staff to act as the Stage 2 Complaint Investigator. The student submitting the complaint will be referred to as 'the Complainant'.
- 13.2 A Stage 2 formal complaint should be submitted normally no later than 2 months after the issues of complaint first arising, in order to give the best opportunity for matters to be investigated as fully as possible. Incomplete Student Complaint Forms may be returned to the

Complainant for completion and/or the Complainant contacted to provide the missing information, before the Stage 2 Complaint Investigation can proceed.

- 13.3 The Complainant should explain in the Student Complaint Form what steps they have taken to resolve the complaint so far. Where the Complainant has not endeavoured to resolve the issue(s) of complaint at Stage 1, they should clearly explain their reason(s) for not doing so. Where a complaint has been immediately escalated to Stage 2 of the procedure without an attempt to resolve it at Stage 1, the Stage 2 Investigator will determine whether or not it should be referred back into Stage 1 to attempt a swift, informal resolution (this will not always be appropriate).

Stage 2 Procedure

- 13.4 The Stage 2 procedure will normally be completed within 21 calendar days of the date that the Stage 2 Complaint Investigator receives the completed Stage 2 Student Complaint Form.

Stage 2 Investigation

- 13.5 On receipt of the complaint, the Stage 2 Complaint Investigator will review the information submitted. They may request further evidence/information from the Complainant. They may, if they deem it necessary, interview the Complainant and/or any other parties as necessary in order to gather sufficient information to reach a decision regarding whether there are grounds that establish the complaint is **Justified, Partly Justified, or Not Justified**.
- 13.6 On completion of the Stage 2 Investigation, the Stage 2 Investigator will write to the Complainant with a Stage 2 Complaint Outcome Letter, setting out the following:
- The issue(s) of complaint considered
 - What information and evidence was submitted by the Complainant
 - What information was requested and received/not received
 - What other evidence and information has been established during the investigation
 - Whether each issue of complaint is found, on the balance of probabilities, to be justified, partly justified or not justified
 - The overall outcome of the complaint (where there are multiple issues justified or partly justified ones alongside issues that are not justified, this will normally inform the overall outcome of the complaint as 'partly justified'. However, the Stage 2 Investigator has the discretion to determine whether the overall outcome of the complaint is 'justified', 'partly justified' or 'not justified', even where some issues are found to be partly justified or not justified)

- The Complainant's right to request a review of the Stage 2 Outcome under Stage 3 of the Student Complaints Procedure

Incomplete Stage 2 Student Complaint Forms

13.7 If the form is incomplete, the Stage 2 Complaint Investigator will assess whether the complaint investigation can commence or whether more information is required before it can begin.

13.7.1 If they determine that the form needs further completion by the Complainant, the Stage 2 Investigator will write to the Complainant setting out which sections of the Student Complaint Form need completing, together with any other information/evidence, and will state a deadline by which this information should be received.

13.7.2 If they determine that more information is required, the 21-day timescale will restart from the date that the completed Student Complaint Form/further information is received by the Stage 2 Complaint Investigator. In the event that no completed form and/or no further information is received by the stated deadline for submitting it, the 21-day timescale will commence from that date.

13.7.3 If, having requested it, a completed form is not received within the timeframe, the Stage 2 Complaint Investigator will determine whether they can proceed with the investigation. They may determine that there is insufficient information/evidence to commence their investigation, in which case they may terminate consideration of the complaint, giving their considerations and reasons for terminating it.

14. Stage 3: Request for Review

14.1 Stage 3 of the Student Complaints Procedure allows complainants to request a review of the Stage 2 outcome, including a review of either or both of the Stage 2 Investigator's decision(s) and/or finding(s). A request for a review is not a request to automatically overturn the Stage 2 decision and/or findings; rather, it is a request for the Stage 2 decision and/or findings to be looked at again. There must be a basis for the Stage 2 decision and/or findings to be reviewed, therefore specific grounds must be met to warrant a review.

14.2 The grounds upon which a Stage 3 Request for Review must be made are as follows:

- The procedures during the formal stage were not followed properly
- The outcome was not reasonable given the circumstances presented

- New evidence which was unable, for valid reasons, to be provided earlier in the process and which would have had a significant ('material') effect on the decision.

14.3 Stage 3 Requests for Review must be made to the validating body awarding the programme in question. This means:

- **Students on a course of study validated by Buckinghamshire New University must follow [Stage 3 of the BNU Student Complaints Procedure](#).** In all circumstances, the Stage 3 review will be conducted by BNU.
- **Students on a course of study validated by ATHE must follow the Stage 3 procedure set out below in this policy:**
 - For non-academic complaints, the Stage 3 review will be conducted by Oakwood College.
 - For academic complaints, the Stage 3 review will normally be conducted by ATHE.

Stage 3 Procedure for students on a programme validated by Buckinghamshire New University (BNU)

14.4 For students studying on a course with Oakwood College that leads to an award from BNU the procedures set out in this document end here, and they have the right to request that their Stage 2 outcome is reviewed by the validating body, BNU.

14.5 To make a Stage 3 Request for a Review under this Complaints Procedure, students studying on a course with Oakwood College that leads to an award from BNU should follow Stage 3 of BNU's Student Complaints Procedure. To submit a Stage 3 Request for Review, the BNU Stage 3 Request for Review Form must be used. Both the procedure and the Stage 3 Form can be located at the following link: <https://www.bucks.ac.uk/current-students/registry-helpdesk-and-academic-advice/resolving-problems>

14.6 On completion of the Stage 3 process by BNU, BNU will proceed to issue a Completion of Procedures Letter to the Complainant, and this will be copied to Oakwood College.

Stage 3 procedure for students on a programme validated by ATHE

14.7 Students studying on a course with Oakwood College that is validated by ATHE have the following options:

- **For Academic Complaints:** students can request that the Stage 2 Outcome is reviewed by ATHE, by completing the Oakwood Stage 3 Request for Review Form and

submitting it to ATHE. ATHE will determine whether or not they will review the complaint or return it to Oakwood College for review under Stage 3 of this Procedure. If ATHE review the Stage 2 Outcome, the Review outcome issued by ATHE will be copied to Oakwood College, who will then proceed to issue a Completion of Procedures Letter (see section 15 'The Office of the Independent Adjudicator and Completion of Procedures', below).

- **For Non-Academic Complaints:** students studying on a course with Oakwood College that is validated by ATHE should follow the Oakwood College Stage 3 Request for Review procedure set out below.

Non-Academic Complaints: Submission of Stage 3 Requests for Review

14.8 A Stage 3 Request for review should be submitted via email by the Complainant to the CEO at rehman@oaksgroup.co.uk within 14 calendar days of the Stage 2 Complaint Outcome Letter.

14.9 Whether it is made on an individual or group basis, a Stage 3 submission should contain the following:

- A fully completed Stage 3: Request for Review of a Stage 2 Complaint Outcome Form, setting out the ground(s) under which the request is being made
- A copy of the Stage 2 Outcome Letter
- A copy of the original submitted Stage 2 Complaint Form
- Any new evidence that the Complainant wishes to submit, which was not considered with the original Stage 2 Complaint

14.10A Complainant will not normally be required to resubmit supporting evidence that was already submitted with the Stage 2 Complaint, unless this is expressly requested by the Stage 3 Reviewer when they come to consider the Stage 3 Request for Review. However, a Complainant may include or draw attention to any evidence that was submitted with the Stage 2 Complaint, as part of their Stage 3 submission, if they believe this to be material to their Request for a Review.

14.11A Request for a Review can be made under one or more of the following grounds:

- a) that there is new evidence that could not have been, or for good reason was not, made available at the time of the investigation of the Stage 2 complaint, and that there is sufficient evidence that the complaint warrants further consideration;

- b) that evidence can be produced of significant procedural error in the investigation of the Stage 2 complaint, including allegations of prejudice or bias, and that there is sufficient evidence that the complaint warrants further consideration.
- c) that the Stage 2 Outcome is unfair and/or has or will likely have a disproportionate impact on the Complainant.

14.12 Stage 3 will normally be conducted by the CEO or their nominee as the Stage 3 Complaint Reviewer. They will consider whether, on the balance of probabilities, any of the grounds have been met. If so, they may order one of the following:

- i. That the original Stage 2 Complaint decision and/or findings should be partly amended;
- ii. That the original Stage 2 Complaint decision and findings should be overturned and replaced with an entirely new decision/outcome;
- iii. That notwithstanding that the grounds have been met, there is insufficient justification to amend or overturn the original Stage 2 Complaint decision and findings, for one or more valid reasons.

14.13 The CEO's Stage 3 Complaint Review Outcome letter will normally be completed within 21 calendar days of the date of receipt of the Stage 3 Request for Review submitted by the Complainant.

15. The Office of the Independent Adjudicator and Completion of Procedures

15.1 The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. If a student is unhappy with the outcome, they may be able to ask the OIA to review their case. Students can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right if something has gone wrong here: <https://www.oiahe.org.uk/students>.

15.2 Students normally need to have completed Stage 3 of this Student Complaints Procedure (which, for students on courses validated by Buckinghamshire New University, constitutes Stage 3 of the BNU Student Complaints Procedure) before they can complain to the OIA. At the end of the procedure, the Complainant has the right to a letter from the College/BNU as applicable that will allow them to escalate their case externally to the OIA. This is called a "Completion of Procedures Letter" where there are no further steps that the Complainant can take internally. BNU will normally issue the Completion of Procedures Letter unless it

directs otherwise, in which instance the College will issue the Completion of Procedures Letter.

- 15.3 If a complaint is processed by Oakwood College at Stage 3 of this procedure but is not upheld at Stage 3, Oakwood College will issue a Completion of Procedures Letter automatically within 28 days of the Stage 3 Outcome Letter. If a complaint is processed at Stage 3 of this Student Complaints Procedure by Oakwood College and is found to be justified or partly justified at Stage 3, the Complainant will be informed that they can request a Completion of Procedures Letter if they want one.
- 15.4 If a complaint is processed at Stage 3 of this Student Complaints Procedure by Oakwood College and is found to be justified or partly justified at Stage 3, the Complainant will be informed that they can request a Completion of Procedures Letter from the College if they are dissatisfied and wish to progress their case to the OIA.
- 15.5. More information about Completion of Procedures Letters can be found here:
- <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.
 - Students must make their complaint to the OIA within 12 months of completing this procedure. The 12-month period will normally run from the date of the Completion of Procedures Letter.

Completion of Procedures Letter (CoP Letter)

- 15.6 Where a Completion of Procedures Letter is issued by the College to a Complainant, it will include:
- A summary of the complaint or appeal the student has made to the College;
 - The title and year/version of the regulations/procedures that were applied;
 - A summary of the issues considered at the final stage of the internal procedures;
 - The final decision taken by the College;
 - The reasons for that decision;
 - Information about the role of the OIA;
 - The deadline for bringing a complaint to the OIA.
- 15.7 Oakwood College may, where relevant, include a summary of issues which were raised but not pursued by the Complainant, to identify any issues that have not completed its internal procedures.

15.8 Where a CoP Letter is issued by Oakwood College, it will also draw the student's attention to any factors which the College is aware of that mean that it is particularly important for the student to bring the complaint promptly to the OIA. Such factors might be, for example:

- The student is subject to deadlines for completing the course;
- The course or module the student is studying is being discontinued, or due to be replaced with an updated version;
- the course of study is in the process or due to be in the process of teaching out;
- The remedy the student is seeking will be impossible for the College to implement after a certain date, in the event that the OIA determines the College must implement the desired remedy;
- The student has indicated that they intend to bring judicial review proceedings against the provider if they are dissatisfied with the outcome of the OIA's review.