



Address: 2 Lord Street, Oldham OL1 3EY

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Policy Name	Complaints Policy
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Recent Review Date	December 2024	Next Review Date	December 2025
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1. Statement of Policy

1.1. The goal of NXT GEN is to provide a learning environment that transforms the lives of all of its students, encourages a culture of well-being, and values their opinions. However, it acknowledges that there may be instances in which the level of service¹ provided falls short of the standard that could reasonably be expected, which may result in student or group dissatisfaction. Students who have the right to complain about any service or lack of service provided by NXT GEN should have their concerns addressed in a fair, efficient, and timely manner by following this policy and procedure.

1.2. Students have the right to voice their concerns and, if that does not resolve the issue, they can file a formal complaint if the level of service they receive falls below expectations. This policy and procedure sets the standards for both students and NXT GEN when a student or group of students wishes to pursue a complaint. The Student Charter states that NXT GEN should take clear and appropriate action when things go wrong.

1.3. In addition, the Student Charter gives students the opportunity to provide feedback on the quality of their course, its constituent modules or units, facilities, and services, as well as to respond to and act on that feedback whenever it is practical.

2. Purpose

2.1 The goal of this policy is to give students a simple and easy way to get their complaints taken care of. NXT GEN deems it essential for students to have the ability to voice their dissatisfaction and anticipate a response.

3. Literature

3.1 Agency for Quality Assurance

3.1.1 The revised Quality Code, Core Practices, and Guiding Principles as set out by the Quality Assurance Agency (QAA) have been carefully considered in the development of this complaints policy.

3.1.2 The QAA UK Quality Code for Higher Education specifies two critical standards that guide providers in ensuring the quality of their offerings:

- i) Course Design: Courses are well-designed, offering a high-quality educational experience for all students, and providing a structured method to consistently evaluate student progress.
- ii) Student Support: All students receive the necessary support to succeed in their education, from the moment of enrollment to graduation.

3.1.3 The Quality Code outlines nine core practices and three common practices that support the achievement of these two key goals. Higher education providers in the UK must demonstrate the core practices to ensure their quality and standards. Although these practices apply across the UK, providers in England are not subject to regulatory requirements. The primary quality practices relevant to this policy are:

- i) Core Practice: All students have access to fair and transparent procedures for managing complaints and appeals.
- ii) Common Practice: Providers regularly review their core practices to drive continuous improvement and enhance quality.

3.2 Concerns, Complaints, and Appeals

3.2.1 Concerns, complaints, and appeals from students are integral to the core practices set forth by the QAA. The QAA also outlines eight additional guiding principles that act as concise expressions of best practices within the higher education sector. These principles support the implementation of core practices and help providers meet the required quality standards.

3.2.2 This policy has been developed in compliance with the quality expectations, core and common practices, and guiding principles to ensure fairness and transparency in addressing complaints and issues raised by students about the services provided by NXT GEN.

3.2.3 NXT GEN's website hosts this policy alongside supporting documents for easy access. NXT GEN also meets the QAA standard by conducting an annual review of its quality assurance manual, alongside regular updates to policies and procedures.

3.3 The Independent Adjudicator's Office (OIA)

3.3.1 In line with the "Good Practice Framework: Handling Student Complaints and Academic Appeals" (2016), NXT GEN adheres to the following definition of a complaint:

Complaint: A student's expression of dissatisfaction with the provider's actions or inactions, or the quality of service provided by or on behalf of the provider.

3.3.2 If a complaint cannot be resolved within the institution, students are encouraged to contact the Office of the Independent Adjudicator (OIA) for further review and resolution. The OIA provides an independent, impartial mechanism for resolving complaints and appeals regarding higher education providers.

4. Scope

4.1 Any individual who is registered as a NXT GEN learner and is not listed as a leaver (or, if they are a leaver, who is complaining about events that took place prior to their leaver status within the allowed timeframes) may utilize this complaints procedure.

4.2 A member of the public, including a prospective student, may also file a complaint, such as regarding the admissions process. A third party cannot file a complaint on behalf of a complainant. However, if one student identifies themselves as the primary contact for communication and has written consent from others who wish to be named as part of the complaint, a group of students may submit a collective complaint under this procedure.

4.3 Anonymous complaints will not typically be considered, unless there are exceptional and evidence-based reasons. Submitting concerns anonymously may hinder the investigation process and the communication of outcomes.

4.4 To help students fully understand this policy, it is recommended that they read the NXT GEN Student Complaints Procedure Guidance Notes. A visual summary of the complaint procedure is also provided in the student complaints flow chart (see Annex 1: Flow Chart for the NXT GEN Student Complaints Procedure).

4.5 Before submitting a formal complaint, students and others should consider alternative ways of addressing their concerns. This might include having a conversation with a member of the teaching staff or management team at NXT GEN, or using other feedback tools, such as student surveys.

4.6 It is strongly recommended that anyone considering filing a formal complaint first attempt to resolve the issue informally. Informal resolution can occur at any point during the formal complaint procedure or prior to its initiation. In many cases, informal resolution results in more satisfactory outcomes for all parties involved.

4.7 If, after the initial investigation, it is determined that a complaint is more appropriately handled under the staff disciplinary procedure, the case will be assigned to the Head of Human Resources (HR) for further investigation. HR will manage the situation in accordance with the relevant procedures.

4.8 It is advised that staff members at NXT GEN carefully review this policy and procedure to ensure they understand it and are able to guide students or other individuals through the complaint process.

5. Responsibilities and Duties

5.1 The Head of the Centre, the Dean of Students, the Provost/nominee, and the appointed investigating officer are accountable for managing, enforcing, and overseeing the complaints policy and procedure.

5.2 It is the responsibility of students to familiarize themselves with this policy and procedure and to act in a manner consistent with it. Students should seek clarification when necessary.

5.3 The NXT GEN Academic Standards and Quality Office (ASQO) is responsible for monitoring and revising this policy. The ASQO ensures that both students and staff have access to guidance and advice regarding the complaints procedure.

6. Overview of the NXT GEN Complaints Procedure

6.1 The NXT GEN Complaints Procedure is designed to provide a clear and structured process for addressing and resolving complaints. It consists of the following four stages:

Stage 1: Conciliation

In this initial stage, the goal is to resolve the complaint informally and quickly. The complainant is encouraged to raise their concern directly with the person involved, such as a member of staff or management. This stage focuses on achieving a resolution through dialogue and mutual understanding, helping to maintain positive relationships between the parties involved. If a resolution cannot be achieved informally, the complaint may then move to Stage 2 for a more formal process.

Stage 2: Formal Complaint

If the complaint cannot be resolved at the conciliation stage, the formal complaint procedure is initiated. The complainant must submit a written complaint, outlining the issue in detail. The relevant department or individual responsible for handling formal complaints will investigate the matter. A written response, including a resolution or explanation of actions taken, will be provided to the complainant.

Stage 3: Internal Review

If the complainant is dissatisfied with the outcome of Stage 2, they may request an internal review. The internal review stage ensures that the complaint has been dealt with appropriately, reviewing the investigation process and the outcome of the formal complaint. This stage provides an

opportunity for a second, independent look at the case. The outcome of the review may lead to further actions or recommendations, which will be communicated to the complainant.

Stage 4: External Independent Evaluation

If the complainant remains dissatisfied after the internal review, they may request an external independent evaluation. This final stage involves a third-party body or independent party, which will evaluate the complaint, and the process followed at NXT GEN. The external evaluator will assess whether the complaint has been handled fairly and according to policy. The external evaluation's decision is typically final.

The complainant may request that the case be reviewed by the Office of the Independent Adjudicator for Higher Education (OIAHE) if the complainant has exhausted the internal procedures of NXT GEN at Stage 3 and, if necessary, those of the awarding body. The OIAHE is a separate organisation from NXT GEN, universities, and other educational establishments.

Within a year of the date of the completion of procedures letter, a scheme application form that has been completed must be sent to the OIA. The OIA will determine the grounds for review and who is eligible for it.

6.2 Complaints Against Senior Management Team Members

For complaints involving members of the senior management team, a specific procedure is followed at Stage 2 to ensure impartiality and fairness:

(a) Complaints Against the Managers or Senior officials: The Head of the Centre will lead the investigation into any complaint concerning senior management members such as the Managers, or Academic and Quality Director. The Head of the Centre will oversee the investigation process to ensure that the complaint is handled in accordance with NXT GEN's standards, ensuring transparency and fairness.

(b) Complaints Against the Head of the Centre: In cases where a complaint is made against the Head of the Centre, an Independent External Party will be brought in to hear and investigate the matter. This ensures that there is no conflict of interest, and the process remains impartial and transparent. The external party will review the complaint, conduct interviews if necessary, and provide a decision on the matter.

7. Rules of Procedure: Complaint Review Panel

7.1 The hearing will take place in private on the NXT GEN premises on a date set by the Head of the Centre with the other panel member's approval. A single friend, not a paid attorney, may accompany the complainant to the hearing.

7.2 When multiple students are making the same complaint, they are required to bring two members of their group to the hearing, each of whom must be accompanied by one friend who cannot be one of the complainants. The complainant and their friend will both have the chance to speak to the panel and ask questions.

7.3 At least seven days before the hearing, the Head of the centre or person in charge must write to the complainant(s) after the date has been set:

- (a) Providing notice of the hearing date.
- (b) Requiring the complainant to submit three copies of any written submissions at least two full working days prior to the hearing date.
- (c) Asking the complainant(s) for the names of any friends who will accompany them to the hearing and any witnesses they would like to call. The complainant(s) are responsible for informing these individuals of the hearing.
- (d) In the event that the complainant has declared a disability, requesting specifics regarding any reasonable adjustments that may be required for the hearing in order to accommodate the complainant.

7.4 A member of NXT GEN staff who is concerned or named in the complaint or whose conduct is by implication called into question by the complaint has the right to be represented by a friend, who will typically be another NXT GEN staff member, at all times following the filing of a complaint in accordance with the formal complaint procedure.

7.5 At least two working days before the hearing, the Head of the centre or the investigator will distribute all of the information to the panel and the parties involved. Unless the panel decides to receive such evidence in exceptional circumstances, written information not received in advance will not be considered.

7.6 If the complainant does not show up for the scheduled hearing date and time, the complaints review panel will consider whether the reasons given for the complainant's absence are valid, and

- (a) adjourn the meeting until a later time if deemed appropriate by members.
- (b) Proceed in the absence of the complainant if no reasons are presented or if they are deemed invalid.

7.7 The panel will decide whether to call any witnesses. The Chair is responsible for appointing a secretary to serve the panel and produce the report on its behalf. The hearing's procedure can

be governed by the chair in accordance with these rules, taking into account the need to keep things casual and move at a reasonable pace.

7.8 A complaint cannot be reopened if it expires due to non-compliance with a time limit. Throughout the year, working days are used to calculate time. The panel may consider documents or hear evidence in the absence of the parties in exceptional circumstances.

8. Evaluation and Monitoring

8.1 NXT GEN reserves the right to modify this policy at any time. To ensure the effective implementation of this policy, NXT GEN will ensure that all employees receive appropriate training. Regular testing of procedures and systems will be carried out to ensure full compliance with this policy. If you have any concerns regarding the monitoring and evaluation of this policy, please contact **complaints@nxtgenedu.co.uk**.

8.2 NXT GEN supports the independent plan for evaluating complaints from students. If a student is dissatisfied with the outcome of a complaint, they may submit an application to the Office of the Independent Adjudicator for Higher Education (OIAHE) for a review of the complaint, provided it meets the requirements outlined by the OIAHE.

8.3 For more information on how to file a complaint with the OIAHE, students can visit the OIAHE's website at www.oiahe.org.uk. Detailed instructions on how to file a complaint with the OIAHE can be found here: [How to complain to us](#).

9. Security and Confidentiality of Data

9.1 NXT GEN is registered as a Data Controller with the Information Commissioner's Office (ICO). Information about NXT GEN's registration can be found on the ICO's website. As a Data Controller, NXT GEN is responsible for implementing the necessary organizational and technical safeguards to ensure personal information is processed in compliance with the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulations (UK GDPR).

9.2 By submitting a complaint, students consent to the processing, use, and dissemination of the information contained within the complaint by NXTGEN. Access to this information may be granted to individuals involved in the investigation process to facilitate a thorough review of the

complaint. Following the resolution of a complaint, relevant individuals may be provided with the information necessary for actions and recommendations. For questions regarding compliance and data protection, please contact **complaints@nxtgenedu.co.uk**.

9.3 All documentation related to complaints will remain confidential and will only be shared with those who have a legitimate need to access it, either due to their role in the complaints process or as required by law.

10. A Different Format

10.1 On request, this policy can be made available in various formats, including large print, audio, or electronic formats. To make a request or for more information, please contact:

Name: The Student Information Team

Email: info@nxtgenedu.co.uk

Annex 1: Formal Complaint for Stage 2 of NXT GEN

YOUR DETAILS:

Full Name:		Student ID:	
Course of study:		Address:	
Tel:		Email:	

NATURE OF COMPLAINT

Please state clearly...

Please give further details about your complaint together with any evidence and/or facts that support your complaint...

Please indicate how you think the issues that you have raised in your complaint could be resolved to your satisfaction...

Please describe how you have tried to resolve your complaint by informal means...

HAVE THE MITIGATING ACTIONS PREVENTED THE COMPLAINT FROM OCCURRING AGAIN?
(Describe)

STUDENT DECLARATION

In accordance with the Data Protection Act of 2018, Nxtgen Education will process the information you provide and your personal data for the purposes of investigating and resolving your complaint as well as monitoring and evaluating the effectiveness of the student complaints procedure. By signing this form, you are also agreeing to the following: NXTGEN will not be able to move forward with your complaint if you do not sign this form giving your permission. Please ensure that each section of this form is completed.

I certify that, to the best of my knowledge and belief, the information provided on this form and in the supporting documents is accurate. I agree that relevant Nxtgen Education members may be informed of my complaint to the extent necessary for its consideration. I give the person or people reviewing this complaint permission to look at this form and any relevant information NXT GEN has if it's necessary for them to.

Student Signature**Date:**

FOR OFFICE USE ONLY			
INVESTIGATOR DETAILS:			
Name:		Position:	
Date:		Time:	
Tel:		Email:	
Type of Complaint:			

FOR OFFICE USE ONLY
INVESTIGATION INFORMATION & OUTCOME ACTIONS:
<i>Details of Investigation:</i>
Procedure(s) Revised due to Complaint:
DETAILS OF ACTIONS TAKEN AND INVESTIGATION OUTCOMES:



Annex 2 Letter Format for Completion of Procedures for the NXT GEN

Please note that the Office of the Independent Adjudicator for Higher Education (OIAHE) website served as the source for this template. Insofar as the essential points listed below are included, the format can be modified to accommodate the specific circumstances of a complaint.

Dear [the complainant's name],

Letter of Completion of Procedures

This letter confirms that [please describe] has completed the internal procedures for your complaint, appeal, etc. regarding [name of higher education provider].

The issues that you raised in your *complaint / appeal etc** were [details]

The following were the issues that were taken into consideration in connection with your complaint, appeal, etc.:

Because of [reasons], the final decision of [name of higher education provider] is* [detail].

The procedures and regulations that were followed were as follows: [details and date as supplied to the electronic Regulations Bank of the OIA]

The independent scheme for reviewing student complaints is used by [Name of Provider]. If you are dissatisfied with the outcome, you may be able to apply to the Office of the Independent Adjudicator for Higher Education (OIA) for a review of your complaint, appeal, etc., provided that the complaint you submit to the OIA is eligible under its Rules.

Your OIA Complaint Form must be received by the OIA by [insert date - e.g., if the Completion of Procedures Letter is dated 9 July 2015, this date should be 9 July 2016] if you decide to file a complaint with the OIA. This means that it must be received by the OIA by the OIA on or before [insert date].

[Include any factors that the provider knows make it especially important for the student to file a complaint as soon as possible.] The OIA's complaint form can be filled out online or downloaded from the OIA website at <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. An Introduction to the OIA Scheme for Students is also published by the OIA and can be obtained from <https://www.oiahe.org.uk/students/can-you-complain-to-us/>. Alternately, you can request a

form by calling or writing the OIA. With your OIA Complaint Form, you should send a copy of this letter to the OIA.

On the OIA's website, <https://www.oiahe.org.uk/students/how-to-complain-to-us/>, you can also find instructions on how to file a complaint as well as the OIA Complaint Form. You might also want to ask the Students' Union for advice on how to submit your complaint to the OIA.

Please be aware that the OIA will typically only look at problems solved by the provider's internal procedures.

Yours sincerely,
[Authorised signatory]