

# HOLMES UNIVERSITY FLORIDA

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## PD6 – Appeals and Complaints Procedures

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| <b>Policy Code</b>  | PD6                                                        |
| <b>Policy Title</b> | Appeals and Complaints Procedures                          |
| <b>Domain</b>       | A – Academic, Admissions and Student Support               |
| <b>Internal Ref</b> | A.6                                                        |
| <b>Jurisdiction</b> | Florida, United States – Holmes University Florida (HUF)   |
| <b>Version</b>      | 1.1                                                        |
| <b>Policy Owner</b> | Director of Risk and Compliance, Holmes University Florida |
| <b>Approved By</b>  | Holmes University Florida Board of Directors               |

### 1. Related Policies

- PD2 – Admissions (Florida)
- PD4 – Assessment and Moderation (Florida)
- PD7 – Disciplinary Policy and Procedures (Florida)
- PD49 – Extenuating / Mitigating Circumstances (Florida)

### 2. Context

- 2.1** All enrolled students at Holmes University Florida (HUF) are subject to its policies and regulations. This document sets out the regulations for appeals and complaints while students are enrolled. An appeal is where HUF has made a decision affecting a student that the student disagrees with (from an examination grade to a decision to terminate studies). A complaint is an oral or written expression of dissatisfaction about an aspect of a service or facility provided to a student. While enrolled, students have recourse to these procedures for any matter relating to academic provision, learning or teaching; facilities and resources; other students; and academic or administrative staff. The policy owner is the Risk and Compliance function and the sponsor is the Director of Risk and Compliance.

### 3. Appeals

- 3.1** There are four internal stages to the appeal process: Stage 1 (informal), Stage 2 (formal complaint), Stage 3 (appeal) and Stage 4 (final review). HUF places no restriction on the nature of queries, including requests for confirmation, clarification or elaboration of a recommendation or decision; all queries are noted and passed to the Board of Examiners. Generally, appeals are initially made on informal grounds, giving students and staff the opportunity to query a recommendation or decision made by the Board of Examiners or a Course Panel - for example, on the result of an individual course, completion of a stage or part of a program, progression to

the next stage, or entitlement to an award. Candidates wishing to lodge a formal appeal must register this in writing using the Appeals form.

- 3.2** The grounds on which students may lodge a formal appeal are: that the assessor(s) and/or examiner(s) had been advised beforehand of medical or other extenuating circumstances likely to have adversely affected performance but failed to appreciate their significance; that there were medical or other mitigating circumstances likely to have adversely affected performance which the candidate was unable for valid reasons to disclose before the decision; that there was a material administrative error or procedural irregularity, or the assessments were not conducted in accordance with the approved program regulations, or some other material irregularity relevant to the assessments occurred; or that there was unfairness or impropriety on the part of one or more examiners. Candidates are not permitted to appeal against academic judgement.

## **4. Complaints - Principles and Protocols**

- 4.1** A complaint is an oral or written expression of dissatisfaction about a service or facility provided to enrolled students; students have the right to lodge a complaint, which is given due and equitable consideration. The procedure aims to be simple, clear and fair, with informal resolution available at any point; complaints are handled sensitively and with due regard to confidentiality for students and staff. Any person named in a complaint is informed of its substance and has the right to reply as part of the investigation, and information is made available only to staff involved in resolution; the Director of Risk and Compliance is informed immediately. No student bringing a complaint, successful or not, will be treated less favorably than if the complaint had not been brought, and evidence to the contrary may lead to disciplinary proceedings. Except in exceptional, fully documented circumstances, a student wishing to complain invokes the informal stage within one calendar month of the incident. Separate procedures exist for academic matters relating to examination and assessment (PD4) and for academic misconduct and disciplinary issues (PD7).
- 4.2** **Protocols.** Anonymous complaints normally result in no action, though HUF may investigate in exceptional circumstances. No investigation of a complaint made on behalf of a student is undertaken without that student's written agreement and consent, including complaints by a parent or spouse. A vexatious or malicious complaint (patently unsustainable, put forward to abuse the process or to defame another) may lead HUF to consider disciplinary procedures. If a formal complaint is made by a student under 18, unless the student expressly wishes otherwise, the Board of Examiners notifies the parents or guardians in writing and keeps them informed of progress, and permits them to act on the student's behalf provided the student has confirmed agreement in writing (see PD15). Where a complaint is brought by a group, one person identifies as spokesperson, each member must demonstrate personal effect, and all must agree in writing to the spokesperson acting on their behalf. The complaints procedure may not be appropriate where the complaint concerns the process or content of a previous HUF policy, as HUF reserves the right to review and change policies; such complaints are resolved against the policy applicable at the time, and HUF publishes updated policies to students in good time.
- 4.3** **Hearings, expenses and monitoring.** A complainant may be accompanied at a complaint hearing by a friend or representative (who may not be a paid member of the legal profession), permitted to put the student's case under the direction of the Chair and to ask questions of HUF representatives; if the complainant is unable to attend, the hearing is rescheduled. If a complaint is upheld, HUF meets reasonable out-of-pocket expenses connected with the formal stage on production of receipts (which may include travel and subsistence for attendance at a hearing). The Board of Examiners oversees the tracking of complaints, ensuring records show the nature

of the complaint, how it was dealt with, the time taken for each part, and the outcome. Complaints are treated as useful quality-assurance feedback and, where appropriate, used to improve services and facilities.

## 5. Procedure - Stages 1 to 4

- 5.1 The procedure has an informal procedure emphasizing resolution at the local point where the complaint arose; a formal procedure involving the Director of Risk and Compliance as facilitator; and an external procedure. As HUF is a nonpublic institution, the external route is to the Florida Commission for Independent Education (CIE) student-complaint process and, where applicable, HUF's accreditor, rather than any single statutory adjudicator. The Director ensures the formal procedure operates with due process and seeks resolution as quickly as possible and to the complainant's satisfaction.
- 5.2 **Stage 1 (informal).** Students notify a member of staff, ordinarily within student services; resolution is sought from the area in which the complaint arose, by discussion with the most appropriate member of staff (such as the academic tutor or student services officer). Students normally receive acknowledgement within 10 working days and a full response within one calendar month.
- 5.3 **Stage 2 (formal).** If the informal response is unsatisfactory, the student escalates by completing the Appeal or Complaint Form (which will be provided to students) and returning it to student services, forwarded to the Director of Risk and Compliance within two business days; the form details the issue and why it is unsatisfactory, what the student did to attempt resolution, and why the response was unsatisfactory. The Manager of Student Services acknowledges receipt within five working days and notifies the Director, who adds it to the Complaints Register and assigns a category and responsible individual: academic (HUF Dean or Associate Dean, Academic Quality); operational (Head of Operations); or admissions, compliance or legal (Director of Risk and Compliance). The responsible individual investigates and decides to uphold or dismiss the case, with a status update to the student within two business days of referral; where upheld, they provide a recommended outcome and take ownership until completion; the Director is notified of the outcome, informs the student, and notes it in the Register. The formal procedure is normally completed, with a written response, within one calendar month of receipt of the completed form.
- 5.4 **Stage 3 (appeal).** If dismissed, the Director informs the student of their right to a Stage 3 appeal, submitted in writing within 10 business days. The Director acknowledges receipt, adds it to the Register, and, using best endeavors within five business days, convenes a board of three senior staff with no previous involvement - a chair and two supporting members drawn from the Director of Global Engagement, Head of Operations, HUF Dean, Associate Dean (Academic Quality) and Program Director. The board considers the Stage 2 investigation and decision and decides to uphold or overturn it; within two business days the decision is communicated to the Director, who notifies the student and informs them of the right to a Stage 4 final review.
- 5.5 **Stage 4 (final review).** Within 10 business days of the student confirming they wish to undertake a final review, the Director convenes a meeting of two Directors of HUF, who assess all aspects and make a final decision to uphold (and provide a resolution) or dismiss. Within five business days, the Director notifies the student by issuing a completion-of-procedures letter. HUF raises awareness of the appeals and complaints procedure among the student body, and the student services team supports departments in handling and resolving complaints efficiently and equitably.

## Document Control

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| <b>Prepared by</b>                      | Director of Risk and Compliance, Holmes University Florida |
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