Student Complaints Policy

1. Introduction

1.1 The University recognises that students may have legitimate complaints about its provision, facilities, services and staff. We aim to ensure that student complaints are treated seriously and dealt with **promptly, fairly and consistently** across the University. We also aim to learn from the outcomes of complaints' investigations in order to help us improve our services and enhance the student experience.

1.2 Wherever possible, students' concerns about their course, services provided by the University or any other aspects of their experience at UCA should be dealt with at the earliest opportunity and through informal discussion. Where students wish to initiate a formal complaint, they must do so by following the University's Student Complaints Policy.

2. Underlying principles

2.1 Complaints are dealt with **without recrimination**. Students making complaints will not suffer disadvantage or reproach and their studies whilst at the University will not be prejudiced as the result of making a complaint.

2.2 The University, its students and staff have rights and responsibilities under this procedure. Consequently, students who have complaints must make them in good faith and without malice. Students who make complaints that are frivolous, vexatious, malicious, obscene or abusive may be subject to disciplinary action under the *University Rules for Student Conduct* (http://www.uca.ac.uk/quality-assurance-enhancement/university-regulations-policies-and-procedures/).

2.3 All complaints will be treated **confidentially** within the complaints procedure. However, a copy of the written complaint, with any enclosures, where the University considers it appropriate, will be forwarded to any member(s) of staff concerned in the matter as part of the University's handling of the matter (including any investigation).

2.4 Anonymous complaints will not normally be considered. However, in exceptional cases anonymity may be granted to a complainant and/or witnesses. In all such cases, the University will be mindful of the need to act fairly in the interests of all concerns. If students would like to explore this option, they should contact the Quality Manager

2.5 The Quality Manager will monitor and review the number, level and type of complaints that are made over the course of each academic year. This data will form part of the measures used to assess and enhance the University's services and the student experience. A report will be submitted annually to the Academic Board and Board of Governors.

3. What type of complaints may be considered under this Procedure?

3.1 The University defines a complaint as an expression of dissatisfaction caused by a University service either failing to match the standards of service promised or failing to match the standards that it would be reasonable to expect.

3.2 Examples of grounds for complaint may include concern that there has been:

- A failing in a University academic or support service
- Failure to meet obligations including those outlined in course/student handbooks and other correspondence from the University
- Misleading or incorrect information in prospectuses or promotional materials or other University publications
- The conduct of a member of staff

3.3 In order to lodge a formal complaint, you must be a registered student on an accredited course/programme of the University. If you have completed your studies and are, therefore, no longer registered, you are normally allowed a further **25 working days** from the last day of your last term in which to lodge a complaint.

3.4 Consideration of late complaints will only be given very exceptionally and in extreme circumstances, such as serious illness or hospitalisation during the time from your last day present on the course, where you provide a substantiated, valid reason for any delay.

4. What will not be considered under the Student Complaints Policy?

The following will not be considered under this Policy:

4.1 Complaints or appeals against decisions of examiners, or otherwise relating to assessment or academic progress, which are dealt with by the *Academic Appeal Regulations* (http://www.uca.ac.uk/quality-assurance-enhancement/university-regulations-policies-and-procedures/). Where such an appeal is based on a complaint which falls outside the remit of the *Academic Appeal Regulations* then, at the discretion of the Quality Manager, those aspects of the appeal may be dealt with under the provisions of the Student Complaints Policy. In such cases, where the findings and/or outcome in the Complaints Procedure may inform the consideration of the academic appeal, the appeal will be held in abeyance until the completion of the complaints procedure;

4.2 Matters of academic judgement, which cannot be the subject of either a complaint or an appeal;

4.3 Complaint against another student where it is alleged that the *University Rules for Student Conduct* have been breached, in which case the investigation will be conducted in accordance with the *University Rules for Student* Conduct (http://www.uca.ac.uk/quality-assurance-enhancement/university-regulations-policies-and-procedures/);

4.4 Complaints or appeals arising from actions or decisions taken under the *Academic Misconduct Regulations,* which will be considered solely under those Regulations (http://www.uca.ac.uk/quality-assurance-enhancement/university-regulations-policies-and-procedures/);

4.5 Third party complaints. The Student Complaints Policy will only apply to complaints initiated and conducted by an individual student or group of students.

4.6 Where a complaint includes an allegation of bullying or harassment by a member of staff, the investigation of that part of the complaint will be informed by the relevant HR policies and procedures.

5. Who can advise me if I am unclear about how this policy works?

5.1 If you have any queries about this policy and how it applies to you, you may seek advice from any of the following people/services:

- Students' Union Campus Officer
- Campus Registry
- Library & Student Services
- Quality Assurance & Enhancement

6. How does the Complaints Procedure work?

6.1 The Procedure falls into three parts:

i) Stage 1: Local
ii) Stage 2: University
iii) Stage 3: Appeal

6.2 Stage 1: Seeking a local resolution of your complaint

6.2.1 In the first instance, complaints should be raised locally, either in writing or verbally with your Faculty Complaints Co-ordinator. In either case, students must make clear that they are initiating Stage 1 of the Student Complaints Policy.

A complaint should be raised within 1 month of the actions or events that prompted the complaint. Consideration of late complaints will only be given very exceptionally and in severe circumstances such as those described in point 3.4 above.

6.2.2 Receipt of your complaint will be acknowledged by the Faculty Complaints Co-ordinator within 5 working days and a Local Investigating Officer (LIO) will be identified. The LIO for your complaint will normally be the manager responsible for the facilities, services and/or staff to which the complaint relates. **Annex A** provides a list of University officers who may serve as the LIO, depending on what your complaint is about.

6.2.3 Following the completion of the investigation, the LIO may determine that:

i) there is substance in all or part of the complaint and what actions(s) will be taken at the local level.

ii) there is no substance to the complaint and that no further action will be taken.

You will normally be provided with a written response within 25 working days of raising your complaint. Complex cases may, however, take longer to investigate. Should this be the case, you will be informed of any likely delay at the earliest opportunity, together with an indication of the anticipated timescale for response.

6.3 Stage 2: Making a complaint to the University

6.3.1 If you are dissatisfied with local attempts to resolve your complaint and wish to take the complaint further, or if the circumstances of the complaint mean that it is inappropriate for the complaint to be raised locally in the first instance, you should complete the Student Complaints Form, which can be downloaded from http://www.uca.ac.uk/quality-assurance-enhancement/university-regulations-

policies-and-procedures/ and send it to the Quality Manager together with a copy of the written response received following attempts to resolve your complaint at local level.

Complaint forms which are submitted without a copy of the written stage 1 response will not normally be considered. It is the complainant's responsibility to provide this. A complaint to the University should be raised within **1 month** of the completion of stage 1 (or within 25 days from the last day of your last term). Consideration of late complaints will only be given very exceptionally and in severe circumstances such as those described in point 3.4 above.

6.3.2 The Student Complaints Form asks you to describe your complaint outlining key dates and facts. You should be as specific as possible. You should also specify how you would like to see the matter resolved (that is, the outcome you are seeking).

6.3.3 You **must** provide evidence to support your complaint. In addition to evidence of the steps that have been undertaken to resolve the complaint locally, this could include evidence from witnesses to the cause of the complaint, emails or written correspondence that support the complaint.

6.3.4 On receipt of your complaint, the Quality Manager will appoint an impartial senior member of staff to act as the University Investigating Officer as appropriate. The University Investigating Officer will normally be a Campus Registrar.

6.3.5 Where a complaint is made against a member of staff, a copy of your complaint (with any enclosures the University considers appropriate) will normally be sent to them for their response.

6.3.6 Where your complaint is against a member of staff, -any investigation will be carried out in accordance with the principles set out in the appropriate employment policies, which may take precedence over this Complaints Policy.

6.3.7 Once investigations into the circumstances of the complaint have been completed one of the following will be determined by the University Investigating Officer:

i) that there is substance to all or part of the complaint (i.e. that the complaint is upheld in full or in part) and what action(s) will be taken in response (including any appropriate remedy);

ii) that there is no substance to the complaint (i.e. that the complaint is rejected) and that no further action will be taken;

iii) that there is no substance to the complaint and that the complaint has been shown to be either frivolous, vexatious, malicious, obscene or abusive. In this case, disciplinary action and/or any other such action considered appropriate will be taken against the complainant.

6.3.8 In all cases you will be informed in writing of the outcome of the complaint. This will include findings which will set out the University's decision and the evidence upon which it is based.

6.3.9 The Quality Manager or nominee will normally aim to reply to the complainant within 25 working days of receiving a complaint, setting out the Investigating Officer's decision on behalf of the University. Complex cases may, however, take longer to investigate with the appropriate levels of care and thoroughness. Should this be the case, you will be informed of any likely delay, and the reasons and likely

duration of the delay, at the earliest opportunity, together with an indication of the anticipated timescale for response.

6.4 Stage 3: Appeal

6.4.1 You may request an appeal against the University's decision on one or more of the following grounds:

i) any procedural irregularity which has materially disadvantaged you in the investigation or outcome of your complaint;

ii) the emergence of new and relevant material that was not available at the time the complaint was first submitted;

iii) that the decision was unreasonable in all the circumstances.

6.4.2 Any request for appeal must be made in writing to the Vice-Chancellor within 25 working days of the date of the letter informing you of outcomes from the University's investigation of your complaint.

6.4.3 The Vice-Chancellor will appoint a nominee to review the case against the criteria set out in paragraph 6.4.1. The nominee will normally speak with the complainant (either by telephone or in person) to give him/her the opportunity to present their appeal orally. On completion of the review, the nominee will recommend one of the following actions to the Vice-Chancellor:

i) that the complaint has been investigated in accordance with University procedures, that no new and relevant material has been made available and/or a reasonable outcome had been reached. Where this recommendation is accepted by the Vice-Chancellor, the appeal will be rejected. This will be the University's final decision on the matter and you will be issued a 'Completion of Procedures' letter;

ii) that the complaint has not been investigated in accordance with University procedures and the appeal is upheld. In this case the complaint should be referred back to an appropriate previous stage of the process;

iii) that new and relevant material has emerged and the appeal is upheld. In this case the complaint should be referred back to stage 2 to be re-investigated;

iv) that the decision in relation to your complaint was unreasonable (i.e. that no reasonable person would have reached that decision given the facts of the case) and the appeal is upheld. In this instance, the Vice-Chancellor's nominee may recommend an alternative resolution to the Vice-Chancellor. Where this recommendation is accepted by the Vice-Chancellor, this will be the University's final decision on the matter and you will be issued a 'Completion of Procedures' letter.

6.4.4 You will receive a letter within 25 working days stating the reasons for the decision that is made.

7. What if I am *still* dissatisfied with the outcomes of the Complaints Process?

Higher Education Students

7.1 If you are a Higher Education student and remain dissatisfied with the outcome of the University's attempts to resolve your complaint, you may refer your complaint

to the Office of the Independent Adjudicator for Higher Education (OIA). The OIA provides an independent scheme for the review of unresolved student complaints.

7.2 You have 12 months from the date of issue of the Completion of Procedures letter to refer your complaint to the OIA. You should ensure that you familiarise yourself carefully with the requirements of the OIA for making a complaint including in relation to the timescale for doing so.

7.3 Further details about the OIA can be obtained from http://www.oiahe.org.uk/ or by contacting the OIA at the following address:

Office of the Independent Adjudicator for Higher Education
Second Floor
Abbey Gate
57-75 Kings Road
READING
RG1 3AB

Telephone: 0118 959 9813
Email: enquiries@oiahe.org.uk

Further Education Students

7.4 If you are a Further Education student and remain dissatisfied with the outcome of the University's attempts to resolve your complaint, you may refer your complaint to the awarding body.

7.5 For students on Foundation Diploma, Diploma or Extended Diploma, refer to the UALAB regulations at: http://webdocs.ucreative.ac.uk/UAL_AB_Student-handbook-2014-v2.0-1471531680611.pdf

7.6 For students on Access Courses, refer to the Laser Learning regulations at: http://webdocs.ucreative.ac.uk/Access_HE_Complaints_&_Appeals-1471531680330.pdf

7.7 Further information can be obtained from the Quality Manager.

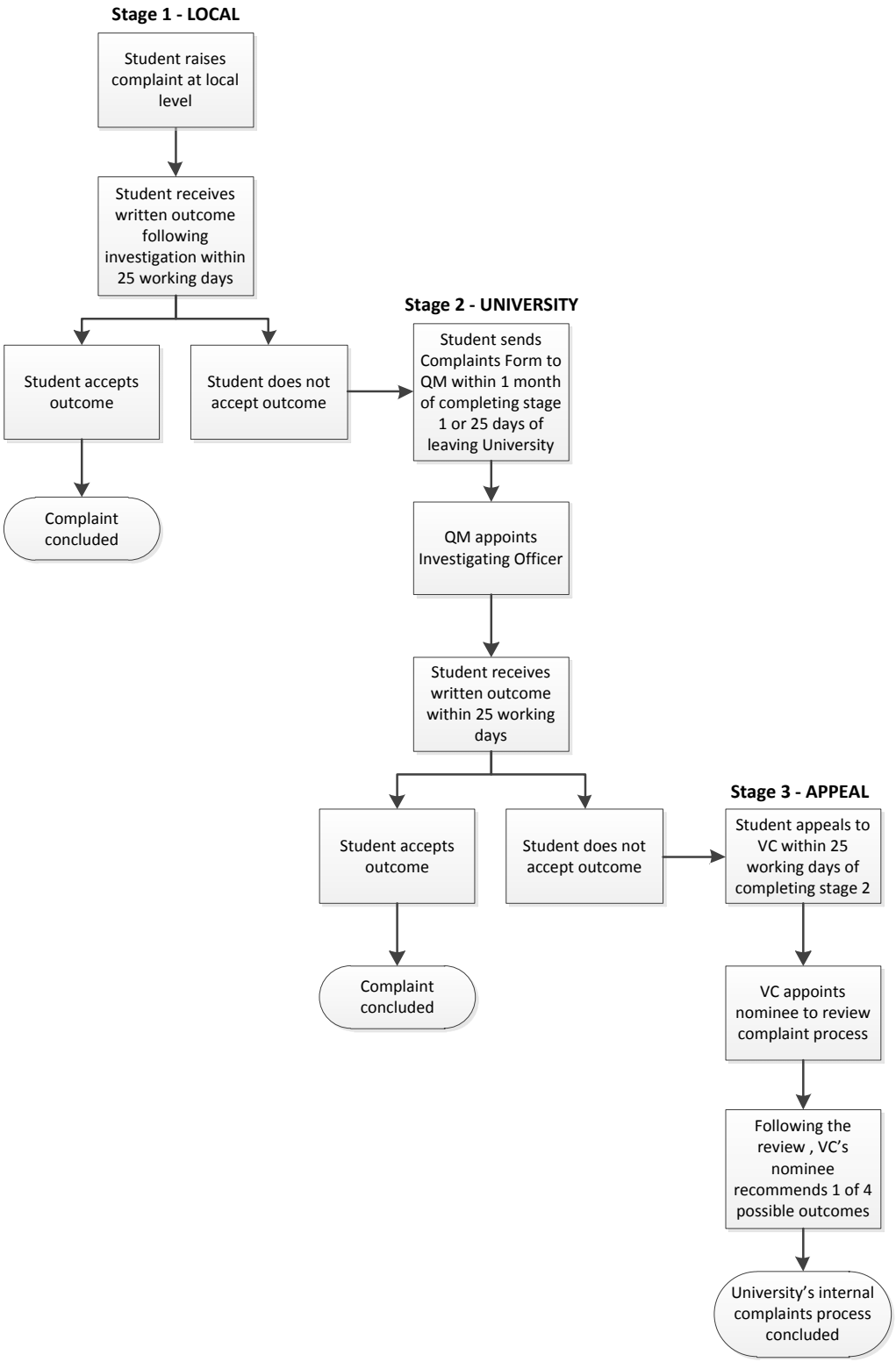
Annex A

University Staff who may serve as Local Investigating Officers

In all cases, the following are able to provide guidance in helping you to get your complaint resolved:

- Students' Union
- Specialist Advisor, Library & Student Services

What your complaint is about (This list provides non exhaustive examples of reasons for complaints)	**Who to contact**
Your course and its delivery, e.g. • The course content delivered does not match the course handbook • Course timetables are not kept to and no reasonable explanation is given • There are problems over access to course facilities or equipment • Teaching or tutorial sessions are not to an acceptable standard	Course Leader or Head of School
Library & Student Services including library facilities and student support services such as Careers & Employability, Learning Support, Counselling, etc.	Learning Support Manager
University owned or leased accommodation	Accommodation Services Officer
Catering or Refectory Services	Catering Services Manager

Annex B

UCA
Student Complaints Flowchart