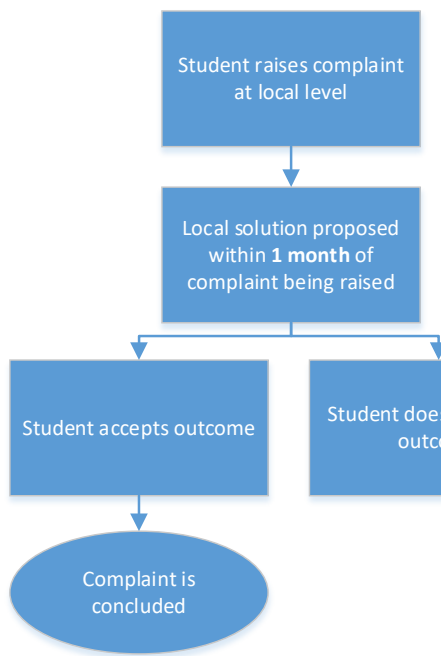

Student Complaints Policy 2018/19

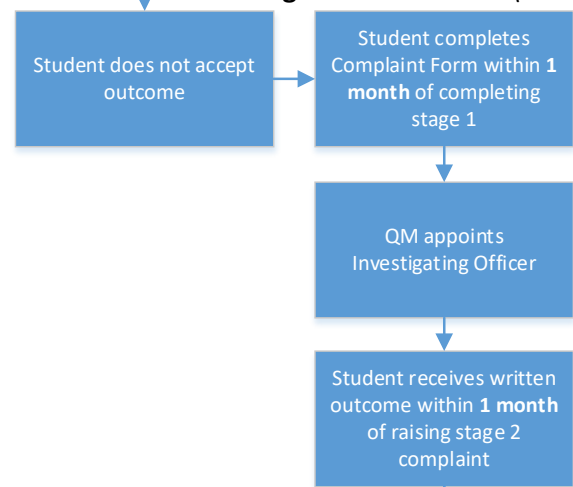
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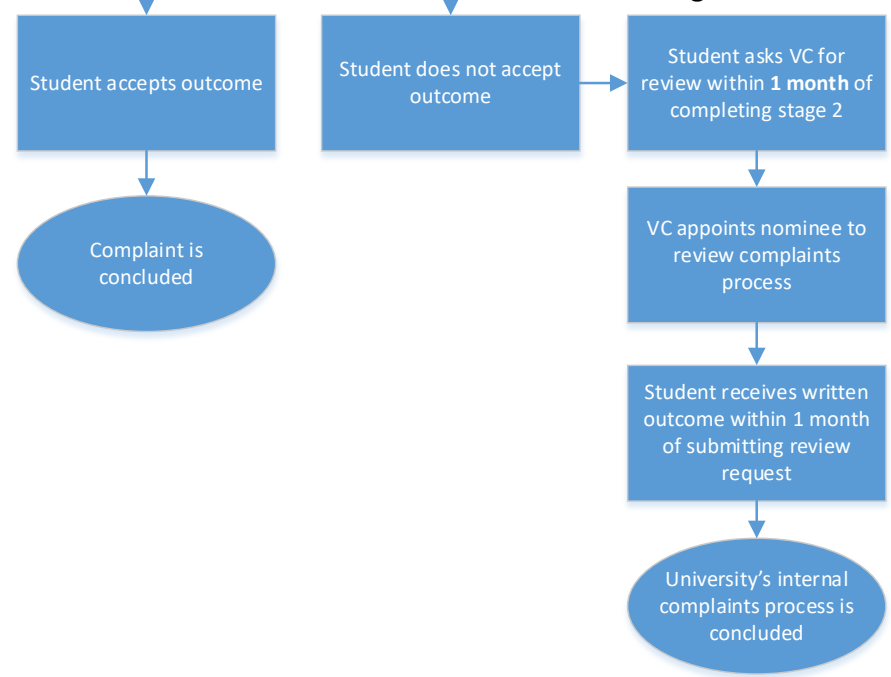
Stage 1 – LOCAL (INFORMAL)



Stage 2 – UNIVERSITY (FORMAL)



Stage 3 - REVIEW



1 Introduction

- i. The University aims to provide a high standard and quality of service. However, we recognise that things can go wrong and when they do students may have legitimate reason to complain about the University's provision of academic courses, facilities, services or staff.
- ii. We aim to ensure that student complaints are treated seriously and dealt with promptly, fairly and consistently.
- iii. We also aim to learn from the outcomes of complaint investigations in order to help improve the University's services and enhance the student experience.
- iv. Wherever possible, students' concerns about their course, services provided by the University or any other aspect of their experience at UCA should be dealt with promptly at the earliest opportunity and through informal discussion.
- v. Where students wish to raise a complaint, they must do so by following the steps outlined in this policy.

2 Underlying principles

- i. Complaints are dealt with without recrimination. This means that students making complaints will not suffer disadvantage or reproach and their studies at the University will not be prejudiced as a result of making a complaint.
- ii. 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 [Student Code of Conduct & Disciplinary Procedure](#).
- iii. All complaints investigated under the Student Complaints Policy will be treated confidentially. However, where necessary to conduct a fair investigation of the complaint' University , a copy of the written complaint (with any enclosures) will be forwarded to any member(s) of staff concerned in the complaint as part of the investigation.
- iv. 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 parties concerned in the complaint.
- v. 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 are considered under the Student Complaints Policy?
- i. 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.
 - ii. Examples of grounds for complaint may include the following:
 - A failing in a University academic or support service
 - Failure to meet obligations including those outlined in course/student handbooks and other materials provided by the University
 - Direct or indirect discrimination arising from disability
 - Misleading or incorrect information in prospectuses or promotional materials or other University publications
 - The conduct of a member of staff
 - iii. In order to raise a complaint students must be registered on one of the University's courses or a course accredited by the University. If they have completed their studies and are therefore no longer registered, they will normally be allowed one further calendar month from the last day of their last term in which to raise a complaint.
 - iv. Consideration of late complaints will only be given very exceptionally and in extreme circumstances, such as serious illness or hospitalisation during the time from a student's last day present on the course, and where evidence of a valid reason for any delay is provided.
 - v. Complaints may be raised by an individual student or a group of students. Where a group complaint is raised, the group will normally be asked to nominate a lead correspondent as the main channel of communication between the University and the group. Complaints raised by third parties will only be accepted where express written consent has been given for the third party to act on behalf of the student(s).
 - vi. Complaints regarding bullying, harassment or discrimination:
 - Where a complaint includes an allegation of bullying, harassment or discrimination by a member of staff, the investigation will be informed by other relevant policies, including those managed by the University's HR department and/or Library and Student Services.
 - Where a complaint includes an allegation of bullying, harassment or discrimination by another student, the investigation may fall outside the remit of the Student Complaints Policy and may instead be investigated under the [Student Code of Conduct & Disciplinary Procedure](#).
 - As part of the investigation, the Investigating Officer may take advice from relevant specialists. These may include, but shall not be limited to, the University's HR department, Library and Student Services and, if necessary, external professional support.

- vii. Exceptional Case Process for complaints regarding the provision of support for students with disabilities and/or specific learning needs:
- Where a complaint relates to the University's provision of support for students with disabilities and/or specific learning needs, the Investigating Officer will seek appropriate support and guidance from other relevant specialists including Library & Student Services. The investigation of these types of cases may also be informed by other relevant policies including Student Finance England's Exceptional Case Process.
 - It is recognised that complaints of this nature may be subject to time restrictions and, where possible, the University will always aim to work within given time limits so as not to disadvantage the student.

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

- i. Complaints or appeals against a student's marks or otherwise relating to assessment or academic progress, which are dealt with by the Academic Appeal Regulations.
- ii. Matters of academic judgement, which cannot be the subject of either a complaint or an academic appeal.
- iii. Complaints against another student where it is alleged that the Student Code of Conduct & Disciplinary Procedure has been breached. In such circumstances the investigation will be conducted in accordance with those regulations.
- iv. Complaints arising from actions or decisions taken under the Academic Misconduct Regulations, which will be considered solely under those regulations.
- v. Complaints about the admissions process, which will be considered solely under the UCA Applicant Complaints Policy.
- vi. Requests for a refund of tuition fees that do not relate to a complaint about the University's provision of academic courses, facilities, services or staff. These should be addressed to the Registrar to consider under the appropriate Fee Regulations.
- vii. Third party complaints. The Student Complaints Policy will only apply to complaints raised by an individual student or group of students as outlined in section 3 above.

5 Mediation/Conciliation

- i. Mediation and/or conciliation are voluntary processes where an impartial, independent third party is appointed to help parties reach a mutually acceptable resolution.
- ii. Where appropriate, the University may offer mediation and/or conciliation at both the local and University level stages of complaint investigations (Stages 1 and 2) as we believe that it can often help each party understand what is driving

the concern and may be more likely to result in a swift and mutually satisfactory solution.

- iii. Where all parties agree to mediation or conciliation in the University stage (Stage 2) of considering a complaint, they should agree revised timescales. Prior to starting the process, all parties need to be clear about the scope of the mediation or conciliation process, how the arrangements may fit with other relevant policies and whether each party is expected to agree in advance to accept any solution that may be offered. It may be necessary to restart Stage 2 if agreement cannot be reached.

6 Advice and support

- i. If a student has any queries about this policy and how it might apply to them, they are able seek advice from any of the following people/services:
 - The Students' Union
 - Campus Registry
 - Library & Student Services
 - Quality Assurance & Enhancement

7 How does the complaints procedure work?

- i. The University believes that most difficulties can be resolved at an early stage by talking informally with the individual(s) most concerned with the issue at a local level, at the earliest opportunity. For example, if the complaint concerns academic matters, the student(s) may wish to talk to their Course Leader or a student course representative. If the complaint is about a University service, then the student(s) should talk to an appropriate member of staff from that service. The student(s) may also wish to consider seeking advice from the Students' Union.
- ii. The student complaints procedure comprises three main stages:
 - Stage 1: Local
 - Stage 2: University
 - Stage 3: Review

7.1 Stage 1: Seeking a local resolution to a complaint

- i. Where a student has attempted to resolve matters by informal discussion but is not satisfied with the outcome, the student may wish to initiate Stage 1 of the complaints process. In the first instance, complaints should be raised locally with the Assistant Campus Registrar (ACR) at the Campus Registry. Complaints must be submitted in writing, but the University recommends discussing the situation with the ACR verbally if students are unsure of how to begin the process.
- ii. A complaint should be raised within one calendar 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 section 3 (iv) above.

- ii. Receipt of complaints will be acknowledged by the ACR within 5 working days and a Local Investigating Officer (LIO) will be identified. The LIO for Stage 1 complaints will normally be the manager responsible for the facilities, services and/or staff to which the complaint relates.
- iii. Following the investigation, the LIO will make one the following determinations:
 - that there is substance to all or part of the complaint; or
 - that there is no substance to the complaint.
- iv. The LIO will also determine what action(s) should be taken to address the cause of the difficulties that led to the complaint. This may include where there a finding of no substance, but the investigation identifies improvements to a University service that would avoid similar future complaints.
- v. Complainants will normally be provided with a proposed resolution to their complaint in writing (normally by email) within one month of raising a complaint. Occasionally complaints may take longer than this to investigate and/or resolve and in these circumstances complainants will be informed of any likely delay at the earliest opportunity, together with an indication of the anticipated timescale for response.

7.2 Stage 2: Making a formal complaint to the University

- i. If students are dissatisfied with local attempts to resolve their complaint and wish to take the complaint further, they should complete the Student Complaints Form (available to download from the UCA [website](#)) and send it to the Quality Manager together with a copy of the written response received at Stage 1.
- ii. Stage 2 complaints should be raised within one month of the completion of Stage 1 (and within one month from the last day of the student's last term).
- iii. Consideration of late complaints will only be given very exceptionally and in severe circumstances such as those described in point 3 (iv) above.

When completing the Student Complaint Form, the following information should be provided:

- details of the complaint;
 - an outline of the steps that have already been taken to try and resolve the complaint and why the responses received are not considered satisfactory;
 - the desired resolution.
- iv. Students must provide evidence to support their complaint. This could include witness statements, emails or written correspondence that support the complaint. Evidence must be provided at the time of submitting the Stage 2 complaint. Unless clearly stated that further evidence is to follow, the Stage 2 investigation will not consider evidence submitted after this time. It is

important for students to keep a copy of the form and any other documentation submitted for their records.

- v. The Quality Manager will acknowledge receipt of the complaint within 5 working days and appoint an impartial senior member of staff to act as the Investigating Officer (IO) who will be unrelated to the area under investigation.
- vi. Where a complaint is against a member of staff, a copy of the complaint (with any enclosures the University considers appropriate) will normally be sent to them for their response.
- vii. Where a 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 the Student Complaints Policy.
- viii. Following the investigation, the IO will make one of the following determinations:
 - that there is substance to all or part of the complaint; or
 - that there is no substance to the complaint.
- ix. If the complaint is considered to have substance, the student(s) will be informed of the means to resolve or redress the complaint. If the complaint is deemed to have no substance, the student(s) can expect to be given an explanation. In all cases the student(s) will be informed in writing of the outcome of the complaint investigation.
- x. The Quality Manager, or nominee, will normally aim to send the complaint outcome to the student(s) within one month of receiving a complaint, setting out the IO'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, the student(s) will be informed of any likely delay at the earliest opportunity.
- xi. The Quality Manager will ask the student(s) to confirm their acceptance or rejection of the Stage 2 investigation outcome. This must be provided within one month.
- xii. If the complainant(s) either confirm their acceptance of the outcome or do not respond within the stated timeframe, they will be issued with a Completion of Procedures letter (CoP).

7.3 Stage 3: Review

- i. If the student is not satisfied with the decision taken in respect of the complaint they may be able to request a Case Review. The student(s) may only request a Case Review on one or more of the following grounds:

- any procedural irregularity which has materially disadvantaged the student in the investigation or outcome of the complaint;
 - the emergence of new and relevant material that supports the complaint, that was not available at the time the complaint was first submitted;
 - that the decision was unreasonable in all circumstances.
- ii. The Stage 3 review will not consider issues that were not cited for investigation in the Stage 2 process.
- iii. Any request for review must be made in writing to the Vice-Chancellor (VC) within one month of the date of the letter informing the student(s) of the outcome of the formal investigation of their complaint and clearly set out on which ground(s) the review is being requested.
- iv. The VC will appoint a nominee to review the case against the grounds set out in paragraph 7.3.i. On completion of the review, the VC's nominee will make one of the following determinations:
- that the complaint has been investigated in accordance with University procedures, that no new and relevant material has been presented and a reasonable outcome has been recommended.
 - that the complaint has not been investigated in accordance with University procedures. In this case the complaint will normally be referred back to Stage 2 of the process to be re-investigated;
 - that new and relevant material has come to light. In this case the VC's nominee may either recommend a new outcome or refer the complaint back to Stage 2 to be re-investigated;
 - that the recommended complaint outcome or resolution was not reasonable. In this case, the VC's nominee may recommend an alternative resolution.
- v. The student(s) should be notified of the outcome of the review within one month and will be issued with a Completion of Procedures letter (CoP). Where it is not possible to review a complaint within this timeframe, the student(s) will be informed of any likely delay at the earliest opportunity.

8 External Review

Higher Education Students

- i. Higher Education students who remain dissatisfied with the outcome of the University's attempts to resolve their complaint, may refer the case to the Office of the Independent Adjudicator for Higher Education (OIA). The OIA provides an independent scheme for the review of unresolved student complaints.
- ii. Students have 12 months from the date of issue of the 'Completion of Procedures' letter to refer their complaint to the OIA.

- iii. Further details about the OIA can be obtained from the OIA website <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 and Research Students

- i. Further Education and Research students who remain dissatisfied with the outcome of the University's attempts to resolve their complaint may refer the case to the relevant awarding body.
- ii. For students on Foundation Diploma, Diploma or Extended Diploma, refer to the [UALAB](#) regulations
- iii. For students on Access Courses, refer to the [Laser Learning](#) regulations.
- iv. For students on a programme of research, refer to [UAL Research Degrees Handbook and Regulations](#).
- v. Further information can be obtained from the Quality Manager.