

## Student complaints and appeals

If you are dissatisfied with an aspect of your educational experience at University College Falmouth, you can submit a formal appeal and/or complaint. It is very important that you decide whether you want to appeal or complain as they are treated separately by the University College and there are different procedures that you are required to follow in each case.

If you are dissatisfied with the assessment process and/or a decision reached by a formal assessment on your academic work, then you should lodge an appeal. The University College has a formal procedure for the submission of student appeals. The Students' Complaints Procedure is detailed below. If you have a complaint relating to a specific issue regarding the delivery of teaching or other services provided for you by the University College, then you should submit a complaint.

If you are unsure about whether you are lodging an appeal or a complaint, you are strongly advised to seek advice from either the Students' Union or the Quality & Standards Team (located in Tannachie, Woodlane) in advance. It is also very important that you adhere to the official procedures, as this will assist us to deal with your concerns as quickly and efficiently as possible.

### **1 Introduction**

- 1.1 The University College endeavours to provide all students with a learning environment which is supportive, fair and intellectually challenging and where services are provided in an efficient and friendly manner. Students are expected to engage fully in their learning experience. The University College acknowledges that occasionally students may have a specific concern or express a level of dissatisfaction that needs a response. Students are asked to raise issues as soon as possible and be reasonable and open-minded in trying to resolve the issues.
- 1.2 The levels of service that you may expect from the University College are outlined in the Student Charter and in your course handbook.
- 1.3 In many cases problems or misunderstandings can be dealt with by discussion between staff and students, or through student representation on Course Committee, but in other instances it may be appropriate to pursue the matter in a more formal way.
- 1.4 These notes are intended as a guide to all students, both undergraduate and postgraduate, to the way that complaints should generally be pursued and are intended to help resolve problems in an effective way.
- 1.5 Whatever your complaint, you can expect it to be dealt with promptly and fairly and in accordance with the University College's policies and procedures. The time limits set out in the procedure will normally be followed. However, where for good reason, this is not possible, the complainant will be kept informed of progress.
- 1.6 As far as possible complaints should be raised initially with the responsible individual who has handled the matter. It should be possible for the majority of complaints to be resolved quickly and effectively at this informal level.

- 1.7 Complaints cannot be made anonymously. If you name another person in the complaint, they have a right to know what is being alleged, and to know who is making the complaint. However, complaints will be dealt with sensitively, in the spirit of conciliation, and as far as possible, confidentiality will be maintained. You will not be discriminated against or suffer any recrimination as a consequence of making a complaint. However, the University College expects that students will not engage in mischievous, frivolous or vexatious complaints. If a complaint is adjudged as falling into this category it will be rejected and you will receive a written response outlining why. You should also be aware that if you raise a complaint against a member of staff that is found to be vexatious, malicious and/or unsubstantiated, you may be liable to disciplinary proceedings.
- 1.8 If a complaint is received by the Rector, Chair of the Board of Governors or another such office-holder, it will be referred to the Registrar who will ensure that it enters the procedure at the appropriate point. If the complainant has made no attempt to resolve the matter at a local level, s/he may be advised to make recourse to an informal stage of the complaint initially.
- 1.9 The Disability Equality Scheme is available to view on the University College website or a copy can be obtained from the Equality and Diversity Office.

## **2 Matters which are not covered by the Complaints Procedure**

- 2.1 Issues covered by other College policies cannot be dealt with under these Complaints Procedures. For example, this procedure cannot be used to appeal against a decision made under the Student Disciplinary Procedures or to make an academic appeal. A specific complaints procedure exists within the Harassment and Bullying Policy and the Equal Opportunities Policy and in some circumstances this may be a more appropriate route.
- 2.2 The University College's 'contract' is with the student, irrespective of who pays the student's fees. Therefore, students should also note that, under Data Protection legislation, the University College cannot deal with third party complaints without the written permission of the student concerned. This includes complaints made by a student's parent(s) or spouse.

## **3 Public Interest Disclosure Policy**

- 3.1 The Board of Governors has approved a procedure under the Public Interest Disclosure Act 1998, which is consistent with its commitment to conduct its affairs in a responsible and transparent way. The procedure provides a means by which a member of the University College (Governors, the President of the Students' Union, staff and current students) can disclose information, which they believe shows malpractice or wrongdoing within the University College, without fear of reprisal and independent of line management.
- 3.2 This procedure should only be initiated if the concerns cannot be dealt with through the University College's normal channels of communication (Line Managers or members of the Strategy Group), and/or through other College procedures.
- 3.3 Such concerns may relate to:
- a) financial malpractice, impropriety or fraud;
  - b) other alleged criminal activity;
  - c) undeclared conflicts of interest or unethical behaviour;
  - d) acting outside procedural authority;
  - e) a miscarriage of justice;
  - f) departures from statutory or other external requirements, or from the requirements of the Instrument and Articles of Government;

- g) danger to health and safety of any individual or to the environment;
- h) attempts to obstruct or frustrate the exercise of academic freedom within the institution;
- i) professional malpractice, for example theft of personal property;
- j) deliberate attempts to conceal any of the above.

- 3.4 The procedure **may not** be used to question financial and/or business decisions legitimately taken by or on behalf of the University College, nor raise for reconsideration matters that have already been considered under other College procedures.
- 3.5 A copy of the procedure and further advice and guidance on invoking the procedure and the scope of the Act can be obtained from the Registrar & Secretary to the Board of Governors, the University College's Personnel Office, or the Students' Union.

## 4 **Complaints Procedure**

### **Step 1**

In the first instance, all complaints should be discussed with the relevant member of staff. If the complaint relates to an aspect of your course and you do not feel comfortable approaching the person most directly concerned, you should speak to your award or programme leader or personal tutor.

It is expected that Step 1 will be invoked within one calendar month of the incident that is the cause for complaint.

### **Step 2**

If the complaint cannot be resolved through informal discussion, it should be put in writing to the appropriate manager of the service. There is a list of useful contacts at the end of this Charter or, alternatively, the Accommodation and Welfare will be able to advise you. For a complaint relating to your course, the Dean of your School would be the most appropriate person to contact.

It is important to include as much information as possible. In particular, your letter should clearly state:

- full details of the cause for your complaint, including its impact;
- the action you have taken thus far and the date(s) of that action;
- the response you have received;
- the reason for your dissatisfaction with that response;
- the remedy you are seeking.

You should also enclose copies of any relevant correspondence.

You should normally receive a written response within ten working days. If it will take longer for the matter to be investigated, this communication will indicate when you can expect a fuller response. Whilst it is anticipated that the investigation will be completed and a response sent within twenty working days, this period may need to be extended in College vacations.

Step 2 must be invoked within ten working days of the completion of Step 1.

### **Step 3**

If your complaint is still not resolved to your satisfaction, or if it relates to the manager of a service, you may make a formal written complaint to the Quality & Standards Team. You may expect to receive an acknowledgement of receipt of the complaint within five working days and a timely written response, bearing in mind that further time may be required for investigations to be carried out. It is normally expected that the investigation will be completed and a response sent within twenty working days. However, this period may need to be extended in College vacations.

Step 3 must be invoked within ten working days of the completion of Step 2.

## **5 The opportunity to respond**

The response from the Quality & Standards Team following the investigation of your complaint will offer you one further opportunity to respond to the findings. A date will be set by which the University College would expect this (usually ten working days). If we do not hear from you by this date, we will assume that you are satisfied; the file will be closed and you will automatically be issued with a Completion of Procedures letter.

If you wish to respond, the University College will consider your letter and act appropriately. However, unless new information has come to light, it is likely that the University College's procedures will be exhausted at this point and you will be issued with a Completion of Procedures letter in the final response.

## **6 Outcomes/further steps**

The University College hopes that this complaints procedure will enable you to find a satisfactory resolution to your problem. However, you should not expect that consideration of a complaint will always produce your preferred outcome. Provision of some services may be dependent on resources or policy decisions at College or national level. Every complaint will be carefully considered and you will be told the reasons for any decision.

If, exhausting the complaints procedure, you feel the University College's response is not satisfactory, you may make recourse to the Office of the Independent Adjudicator for Higher Education (see below).

## **7 The Office of the Independent Adjudicator for Higher Education (OIA)**

The OIA provides an independent scheme for the review of student complaints. Anyone who was or is registered as a student can complain about:

- a) a course of study for which s/he was registered;
- b) a service provided to him/her by the University College;
- c) and a final decision by the University College's disciplinary or appeal body.

You must first follow all of the University College's internal complaints procedures (described above) before submitting a complaint to the OIA. Once you have exhausted these procedures the University College will issue you with a "Completion of Procedures" letter. You must apply to the OIA within three months of the issue of this letter.

Further details can be found on the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk) and the organisation's contact details are:

Office of the Independent Adjudicator  
Third Floor  
Kings Reach  
38-50 Kings Road  
Reading  
RG1 3AA

Tel: 0118 959 9813

Email: [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk)

## **Monitoring, evaluation and review**

This complaints procedure is part of the University College's process of quality review and improvement. Complaints are considered as useful feedback rather than

criticism and are valued. Any comments about this procedure should be referred to the Registrar.

While the University College will strive to perform in accordance with this Charter, the obligations set out in it are expressions of intent and are not legally binding.