

## COMPLAINTS PROCEDURE

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We regularly review and update our regulations and policies, including this procedure. Accordingly, the following changes have been made from the Complaints Procedure in place during the 2020-2021 academic year.

Clause(s)	Description
2.5	Amendment of timescale for Step 2 consideration and confirmation of outcome to 40 working days from date of receipt of appeal.
3.5 and 4.2	Information about when you can request a Completion of Procedures letter at Step 3, and clarification about when Completion of Procedures letters will be issued.

### Key facts

You should familiarise yourself with the entirety of this procedure, and we would particularly draw your attention to the following elements:

Clause(s)	Description
1.1	In the first instance, you should discuss your complaint with the relevant member of staff directly concerned, where appropriate. If you do not feel comfortable approaching the person most directly concerned, you should speak your Head of Subject, Course Leader or Personal Tutor, or if you are studying online, your Student Adviser.
1.3	<b>Timescale:</b> you should initiate Step 1 – Early Resolution within eight (8) weeks of the incident that is the cause for complaint
2.1	If you are unable to resolve your concerns through Step 1, you may make a formal complaint using the Student Complaints Form, which must be submitted to Quality Assurance & Enhancement (QAE) along with supporting evidence.
2.2	<b>Timescale:</b> you should initiate Step 2 – Formal stage within 10 working days of the conclusion of Step 1.
2.5	Whilst it is anticipated that the investigation will be completed and a formal response issued within forty (40) working days, this period may need to be extended depending on the nature and complexity of the complaint.

Key facts continued

Clause(s)	Description
3.1	<p>If you are dissatisfied with the outcome at Step 2 you may request a review of the procedure undertaken at Step 2, on the following grounds:</p> <ul style="list-style-type: none"> <li>• a material error or irregularity in the conduct of Step 2 of the Complaints Procedure; and/or</li> <li>• you have material new evidence that has become available since the commencement of Step 2 that you were unable, for valid reasons, to provide by the original Step 2 complaint deadline</li> </ul>
5.1	<p>Falmouth University subscribes to an independent scheme for the review of student complaints provided by the Office of the Independent Adjudicator (OIA). If, following receipt of your Completion of Procedures letter, you are dissatisfied with the outcome of your complaint, you may be able to apply to the OIA for a review of your case.</p>

This procedure should be read in conjunction with the [Complaints Policy](#).

This procedure applies to any student, prospective student and applicant of Falmouth University.

If you are a student for one of the University's partner institutions, you should follow your institution's applicable Policy and Procedure to attempt to resolve your complaint in the first instance. Please see the Complaints Policy for further information.

Definitions:

- **You/Your** refers to a student, prospective student or applicant of Falmouth University
- **We/Us/Our/The University** refers to Falmouth University

The Complaints Procedure is managed by the Quality Assurance and Enhancement (QAE) team, which is responsible for the effective development, implementation and management of the University's policies, procedures and processes. QAE may be contacted at [QAE@falmouth.ac.uk](mailto:QAE@falmouth.ac.uk).

You can get free, impartial, confidential advice on this procedure from the Students' Union: [advice@thesu.org.uk](mailto:advice@thesu.org.uk) | 01326 255861 | drop in at the SU reception.

## **1 Step 1 – Early resolution**

- 1.1 In the first instance, you should discuss your complaint with the relevant member of staff directly concerned, where appropriate. If you do not feel comfortable approaching the person most directly concerned, you should speak your Head of Subject, Course Leader or Personal Tutor, or if you are studying online, your Student Adviser.
- 1.2 You are strongly advised to discuss concerns with a member of the Falmouth & Exeter Students' Union, for impartial advice and support.
- 1.3 **Timescale:** you should initiate Step 1 – Early Resolution within eight (8) weeks of the incident that is the cause for complaint
- 1.4 If you are unable to resolve your concerns through Step 1, or you are unable to conclude Step 1 discussions within twenty (20) working days of raising your concerns, Step 1 should be considered complete, and you submit a formal complaint (Step 2) to escalate your concerns should you wish to do so.

## **2 Step 2 – Formal stage**

- 2.1 If you are unable to resolve your concerns through Step 1, you may make a formal complaint using the Student Complaints Form, which must be submitted to Quality Assurance & Enhancement (QAE) along with supporting evidence.

2.2 **Timescale:** you should initiate Step 2 – Formal stage within 10 working days of the conclusion of Step 1.

2.3 The Student Complaints Form should include as much information as possible, in particular, the following:

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

All sections of the Complaints Form should be completed. If it is not possible to complete a particular section, the reason for this should be noted on the form.

Please be aware that where there is no evidence of Step 1 - Early resolution having been sought, or where there are no compelling reasons as to why early resolution was not possible and/or appropriate, you may be referred back to Step 1 of this procedure.

Where a complaint is under consideration at Step 2, the case will be referred to the most appropriate member of staff, for example, the manager of the service or the Director of the academic department, for a response. Where possible, this person will be someone who has had no previous involvement in the matter. Where a complaint is made about QAE the case will be referred to a member of staff from another team.

2.3 Where a complaint involves alleged misconduct of a Falmouth University student, it will be referred to Student Services to determine whether any immediate action is required under the Student Disciplinary Policy and Procedure. In some instances it may be necessary to make this referral at Step 1, for example, when the allegation is considered to be serious, but a student does not wish to put their complaint in writing.

2.4 Where a complaint involves alleged misconduct of a member of staff, it will be referred to the Head of Employee Relations and Business Partnering, Human Resources to determine whether any immediate action is required under the University's Disciplinary Policy for Staff. In some instances it may be necessary to make this referral at Step 1, for example, when the allegation is considered to be serious, but the student does not wish to put their complaint in writing.

2.4 Once received by QAE, you will normally be sent an email acknowledging receipt of your complaint within five (5) working days.

2.5 Whilst it is anticipated that the investigation will be completed and a formal response issued within forty (40) working days, this period may need to be extended in University vacations and/or depending on the nature and complexity of the complaint.

**3 Step 3 – Review**

3.1 If you are dissatisfied with the outcome at Step 2 you may request a review of the procedure undertaken at Step 2, on the following grounds:

- a material error or irregularity in the conduct of Step 2 of the Complaints Procedure; and/or
- you have material new evidence that has become available since the commencement of Step 2 that you were unable, for valid reasons, to provide by the original Step 2 complaint deadline

3.2 You should make your request for a Step 3 Review by completing a [Review Request Form](#), to be submitted to QAE within ten (10) working days of the completion of Step 2. Review requests which do not use the standard form will not be considered.

3.3 Once received by QAE, you will normally be sent an email acknowledging receipt of your Step 3 Review request within five (5) working days.

3.4 Step 3 Review requests will be considered by an appropriate member of staff who has not previously had any involvement in your complaint. If you submitted your request outside of the specified deadline, and have not provided a valid reason for the delay, your Step 3 Review request will be considered out of time, and you will be issued with a Completion of Procedures letter (see section 4)

3.5 If you decide you do not have grounds to proceed with a Step 3 Review you can request a Completion of Procedures letter from the University within forty (40) working days of the Step 2 outcome notification.

**4 Completion of Procedures Letter**

4.1 The completion of Step 3 marks the conclusion of the University's internal processes and you will be issued with a Completion of Procedures letter.

4.2 A Completion of Procedures letter will also be issued in the following circumstances:

- Where your Step 1 or Step 2 complaint was submitted outside of the specified timescales and you were unable to evidence a valid reason for this; **or**
- Where your Step 3 Review request was submitted outside of the specified deadline and you were unable to evidence a valid reason for missing the deadline
- Where your complaint has been deemed to be malicious, dishonest and/or vexatious

In the last two cases the letter will confirm that the University's procedures have not been completed.

**5 Office of the Independent Adjudicator for Higher Education (OIA)**

- 5.1 Falmouth University subscribes to an independent scheme for the review of student complaints provided by the Office of the Independent Adjudicator (OIA). If, following receipt of your Completion of Procedures letter, you are dissatisfied with the outcome of your complaint, you may be able to apply to the OIA for a review of your case.
- 5.2 Please be aware that prospective students and applicants are not able to have recourse to the OIA under their rules.
- 5.3 Should you decide to raise your case with the OIA, you must do so within 12 months of receipt of your Completion of Procedures letter, using the OIA's complaint form. The OIA will normally only consider cases which have been through the University's own procedures first.
- 5.2 Further details can be found on the OIA website at [www.oiahe.org.uk](http://www.oiahe.org.uk). The OIA's contact details are: Office of the Independent Adjudicator, Second Floor, Abbey Gate, 57 – 75 Kings Road, Reading RG1 3AB, Tel: 0118 959 9813 Email: [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk).

## VERSION CONTROL

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PURPOSE/CHANGE	AUTHOR	DATE
Insertion of clause 1.2 following approval at AQSC, 4 July 2018	QAE	04/07/2018
TBC Extensive rewrite (plain English and student-facing language) and changes to the below clauses following approval at Academic Board:	QAE	22/07/2020
Updates to clauses 2.5, 3.5 and 4.2 following approval at AQSC	QAE	21/07/2021