

COMPLAINTS POLICY

1 Introduction

- 1.1 The levels of service that students, prospective students and applicants can expect from the University are outlined in course information and other publications and on the University's website. If a student, prospective student or applicant has a complaint relating to a specific issue regarding the delivery of teaching or other services provided by the University, then they should submit a complaint, following the formal complaints procedure.
- 1.2 Students will not be discriminated against or suffer any recrimination as a consequence of making a complaint. It is important however that students adhere to official procedures, as this will assist the University to deal with concerns as quickly and efficiently as possible.
- 1.3 This complaints policy is part of the University's process of quality review and improvement. Complaints are considered as useful feedback rather than criticism and are valued. Any comments about this policy should be referred to the Head of Quality Assurance & Enhancement.

2 Policy detail

- 2.1 The Complaints Procedure should be read in conjunction with this policy. Complaints may only be made by a person in direct receipt of a service delivered by the University (see also 2.6).
- 2.2 Complainants must submit complaints within the timescale stated within the complaints procedure. If there is a delay in submitting a complaint, the complainant may be asked to explain the reason for the delay, and the delay may be grounds for the complaint to be rejected. If significant time has passed, it may be difficult and/or impossible for a fair and proper investigation of the circumstances and detail of the complaint.
- 2.3 As far as possible complaints should be raised initially with the person responsible. Every effort will be made to facilitate early resolution and it should be possible for the majority of complaints to be resolved quickly and effectively at this informal level.
- 2.4 The Chancellor has no role with regards to the receipt or consideration of student complaints; any complaints sent directly to the Chancellor will not be investigated. The University will not forward any letters of complaint to the Chancellor.
- 2.5 If a complaint is received by the Vice-Chancellor, the Chair of the Board of Governors, or another such office-holder, it will be referred to the Head of Quality Assurance &

Enhancement 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, they may be advised to make recourse to an informal stage of the complaint initially.

- 2.6 The University's relationship is with the student, irrespective of who pays the student's fees. Therefore, students should also note that, under Data Protection legislation, the University cannot deal with third party complaints without the written permission of the student unless a third party has been formally authorised or instructed to act on a student's behalf (this includes complaints made by a student's parent(s) or spouse). Whilst correspondence will then be copied to the student (unless specifically directed to the contrary by the student), the University will only deal with the single individual authorised to act on the student's behalf in respect of a complaint.
- 2.7 Complaints cannot be made anonymously. If another person is named in a complaint, they have a right to know what is being alleged, and to know who is making the complaint. However, all complaints will be dealt with sensitively, in the spirit of conciliation, and as far as possible, confidentiality will be maintained.
- 2.8 The University expects that students will not engage in making mischievous, frivolous or vexatious complaints. If a complaint is deemed to fall into this category it will be rejected and the student will receive a written response outlining why. Students should also be aware that if they raise a complaint against a member of staff that is found to be vexatious or malicious, they may be liable to disciplinary proceedings.
- 2.9 Where a complaint involves alleged misconduct on the part of a staff member, it should be referred to the Head of Employee Relations and Business Partnering to review whether any immediate action is required under the University's Disciplinary Policy for staff. Students should be aware that where a serious allegation against a member of staff is made, the University may have a duty to investigate this, regardless of whether the student wishes to formalise their complaint. It may also be necessary to refer some serious complaints to Human Resources even where these have been reported outside of the timescales set out in the complaints procedure.
- 2.10 Whatever the nature of the complaint, complainants can expect it to be dealt with promptly and fairly and in accordance with the University's policies and procedures. The time limits set out in the complaints procedure will normally be followed. However, where for good reason, this is not possible, the complainant will be kept informed of progress.
- 2.11 Every complaint will be carefully considered and complainants will be told the reasons for any decision. The University hopes that the complaints policy will enable all complainants to find a satisfactory resolution to any problems. However, complainants should not expect that consideration of a complaint will always produce their preferred outcome. Provision of some services may be dependent on resources or policy decisions at University or national level.
- 2.12 A Completion of Procedures letter will be issued upon the completion of the internal complaints procedure.

2.13 If, after following all of the University's internal complaints procedures and having received a Completion of Procedures letter, students feel the University's response is not satisfactory, they can refer the complaint to the Office of the Independent Adjudicator for Higher Education. Students must apply to the OIA within 12 months of the issue of the Completion of Procedures letter.

2.14 Prospective students and applicants should be aware that they are not able to have recourse to the OIA under their rules.

3 Matters which are not covered by the University's Complaints Procedure

3.1 Issues covered by other University policies cannot be dealt with under the Complaints Policy. For example, this policy cannot be used to appeal against a decision made under the Student Disciplinary Policy or by an Assessment Board. Students wishing to make an appeal should read the Appeals Policy and Appeals Procedure.

3.2 Complaints about services provided by other organisations should be directed to those providers for resolution.

3.3 Complaints about Falmouth University students will be dealt with under the Student Disciplinary Policy.

4 Collaborative partners: complaints involving more than one provider

A 'collaborative partner' is any provider who delivers courses for which the University is the named Degree Award Body.

4.1 Validated provision:

For validated provision, where the student is studying for a Falmouth University qualification, but is enrolled and registered on a course that is owned and delivered by a collaborative partner, the complainant will be subject to the collaborative partner's complaints policy and procedure in the first instance. The collaborative partner is responsible for issuing the complainant with a Completion of Procedures letter. The complainant will have recourse to the Office of the Independent Adjudicator (OIA) after the collaborative partner's internal procedures have been exhausted.

4.2 Exceptionally, where the complaint concerns academic standards at the collaborative partner (e.g. the quality of teaching), the University may decide to review the complaint under Stage 3 of its Complaints Procedure. The complainant will be notified of this in writing and, in such cases, the University will issue the Completion of Procedures letter.

4.3 Franchised provision:

For franchised provision, where the student is enrolled at the University and is registered on a University-owned course, but the course is delivered by a collaborative partner, the University will make clear to the complainant which matter(s) may be referred to the University directly and which matter(s) should be referred to the collaborative partner for resolution. Typically, any complaint(s) concerning teaching

and academic standards should be sent to the University if informal resolution is not possible.

- 4.4 Complaints about professional services, such as accommodation, recreational/catering services, and pastoral care should be directed to the collaborative partner. In such cases, the collaborative partner is responsible for issuing the complainant with a Completion of Procedures letter. The complainant will have recourse to the OIA after the collaborative partner's internal procedures have been exhausted.

5 Provision delivered by Falmouth University on behalf of other awarding bodies

- 5.1 Any complaints regarding provision delivered by the University on behalf of another awarding body should be directed to QAE in the first instance.

6 Public Interest Disclosure Policy

- 6.1 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 (Governors, the President of the Students' Union, staff and current students) can disclose information, which they believe shows misconduct or wrongdoing within the University, without fear of reprisal.

- 6.2 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 Secretary to the Board of Governors, the University's Human Resources Department, or the Students' Union.

7 Policy and Procedural Review

- 7.1 QAE submits an annual report regarding complaints to the Academic Quality & Standards Committee.

VERSION CONTROL

PURPOSE/CHANGE	AUTHOR	DATE
Original document for approved at AQSC.	QAE	26/05/2016
v1.2 Updates to the clause below following approval at Academic Board: 1.3	QAE	12/07/2017
Minor amendments to 2.5 and 6.2 (references to role of Registrar)	QAE	28/08/2018