



FURTHER EDUCATION STUDENT COMPLAINTS AND RESOLUTION POLICY AND PROCEDURE

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1. Introduction

1.1 We make every effort to ensure that students have the best experience while studying with us. We recognise that there are times when students may have a specific concern about the provision of a course of study or a related academic service, this policy and procedure outlines how to raise those concerns.

1.2 Definitions

1.2.1 Complaint

A complaint is an expression of dissatisfaction by one or more students about the University's action, or lack of action or about the standard of service provided by or on behalf of the University. A complaint cannot be made against academic judgement.

If a student wishes to appeal against a decision of an academic body charged with decisions on student progression, assessment and standards, including against an academic judgement once marks have been awarded at a Final Examination Board, they should refer to the University's Further Education Academic Appeals Policy and Procedure.

1.2.2.1 What issues constitute grounds for complaint under this policy?

Examples of matters which might be raised through this policy are:

- Failure of the University to meet obligations including those outlined in student handbooks;
- Misleading or incorrect information in prospectuses or other information provided by the University;
- Concerns about the delivery of a course, teaching or administration;
- Poor quality of facilities, learning resources or services provided directly by the University.

1.2.3.1 Examples of matters which are excluded from this policy are:

- Complaints regarding the admissions processes and decisions. These are subject to a separate admissions complaints' procedure;
- Complaints against other students. These should be progressed through the Student Disciplinary Policy and Procedures. Similarly, complaints against members of staff will, if appropriate, be progressed through the Staff Disciplinary Policy and Procedure. Concerns of this nature should be discussed with your Course Leader/Pathway Leader or if the complaint is against the Course Leader/Pathway Leader then the relevant FE Director;
- Complaints relating to the Students' Union;
- Grievances relating to harassment, sexual misconduct, bullying or victimisation which are progressed through the Harassment, Sexual Misconduct and Bullying Policy;
- Complaints about businesses operating on University premises but not owned by the University.

1.2.4.1 Student(s)

This complaints policy can only be used by registered students or former students provided that the complaint is raised within 3 months of completing their studies or withdrawing.

A complaint will only be considered from the student, and not from any third party unless the student is under eighteen, in which case a complaint may be made on their behalf with the express written permission of the student that we can communicate

with the third party on their behalf. In these instances, all correspondence will be copied to the student as well as to their representative

Occasionally a student who may be medically incapacitated may request that their nominee act on their behalf with the University. This will only be permitted in exceptional circumstances at the discretion of the Vice-Chancellor.

- 1.3 A group of students may use this policy to make a collective complaint provided that one student is identified as the main contact for the purposes of processing the complaint. Anyone wishing to make a complaint is encouraged to do so personally.

1.4 Principles of this Policy

- 1.4.1 Complaints are treated seriously and students will not suffer any disadvantage or recrimination as a result of making a complaint in good faith.
- 1.4.2 It is expected that students will conduct themselves responsibly and treat the complaints process and those involved in the process with respect at all times.
- 1.4.3 The complaints policy and procedure aims to help to resolve such concerns in a manner which is as fair and prompt as possible.

2. Procedures

- 2.1 The University has a number of ways that concerns of a general nature can be raised, these include: through Student Representatives, meetings with course teams or service area etc., via the Students' Union or in course meetings.
- 2.2 Time limits within the procedure are indicated in calendar days and are included in order to ensure that matters are dealt with promptly and without undue delay. Neither the University nor students should unreasonably delay meetings, decisions or confirmation of those decisions. Academic Registry may in some circumstances decide that it is appropriate to extend time limits provided in the Procedure.
- 2.3 Specific complaints

The procedure consists of up to three stages:

2.3.1 Stage 1 - Early Resolution Stage

If a student has a complaint, the matter should be raised initially with the student's tutor, Course Leader, FE Director, a Head of Service Area, or Student Welfare (making it clear you are using this procedure). This is the quickest and easiest way to resolve any issues. Staff will discuss the nature of your complaint and what you would like to see as an outcome and will seek to resolve the complaint themselves or liaise with other members of staff to identify if it is possible to resolve your complaint.

Every effort will be made to resolve the matter at this stage and all parties should seek to find a mutually satisfactory resolution. In order that the University can deal with matters promptly complaints should be raised in a timely manner and in any event within three months of the incident causing concern. Complaints raised more than 3 months after the incident occurred are deemed out of time and will not be considered.

The University aims to respond to complaints within 21 calendar days, but recognises there may be occasions when it is not feasible and a longer period of time may be required. In these cases, students will be kept informed of the timescale for the complaint.

A record of the outcome from the Early Resolution process will be held in the student's file.

2.3.2 Stage 2 - Formal Stage

At the formal stage the complaint must be put in writing. Receipt of a complaint which has not been through Stage 1 of the process will normally be referred back to the relevant course team/service area for consideration. The complaint will be considered for the formal stage only when the possibility of Early Resolution has been exhausted.

Where a complaint has not been resolved through Stage 1 - Early Resolution, a student should put their complaint in writing.

The formal stage is only started when:

- i) Early Resolution took place but the student remains dissatisfied and starts the formal stage;
- ii) the FE Quality and Administration Officer considers that the issues raised are complex and will require detailed investigation;
- iii) the student declines to engage with the Early Resolution and initiates the formal process. This option is only available in exceptional circumstances and with the express agreement of the FE Quality and Administration Officer.

A student wanting to file a complaint formally in Stage 2 should complete the [Complaint Form](#).

The complaint must be submitted to the FE Quality and Administration Officer within 21 calendar days of the outcome or failure of the Early Resolution or within a maximum of 21 calendar days of the act or omission complained of. The FE Quality and Administration Officer will acknowledge receipt of the complaint and inform the student how the matter will be taken forward, within 14 calendar days of receipt in one of the following ways:

1. the complaint may be referred to the relevant course or service area if Early Resolution has not previously been attempted; only on confirmation that Early Resolution is not appropriate or if the FE Quality and Administration Officer has agreed will the complaint be considered directly for referral to Stage 2;
2. the complaint may be returned to the student for further clarification;
3. should the student's expectations appear to go beyond what the University can reasonably provide, the student will be advised of this and of possible outcomes in writing as soon as possible;
4. the student may be referred to a different policy or procedure, e.g. the appeals policy;
5. the complaint may be rejected, e.g. if received late without reason;
6. the complaint may be accepted for consideration at Stage 2.

If the complaint is accepted for consideration at Stage 2, the FE Quality and Administration Officer will either request a response from the relevant course/service area or appoint an investigator (the Investigating Officer) who is an independent member of staff.

The Investigating Officer shall normally offer the student the opportunity to attend a meeting on campus and if this isn't possible this will be arranged virtually through Teams. If the complaint is about an individual, the Investigating Officer may also involve the person against whom a complaint has been made in that meeting or conversation (although that person may decline to participate), or hold a separate

meeting or conversation with the person against whom a complaint has been made (in which case the person is expected to make themselves available). If such meetings are held, the student and the person against whom a complaint has been made shall both be entitled to be accompanied by a friend or colleague or other member of the University (not involved in the complaint), or Students' Union.

If during the course of the investigation the Investigating Officer considers it appropriate, the matter may be referred for consideration under the Student or Staff Disciplinary Policy and Procedure as appropriate, including if the complaint is thought to be malicious or vexatious. In such a case, the complaint procedure is suspended until the outcome of the disciplinary investigation and proceedings, since these may affect the outcome and/or remedy of the complaint. The student will be notified of this in writing.

At the conclusion of the complaint investigation, the Investigating Officer will produce a report based on the investigation which outlines the process followed, information gathered, the conclusions drawn and any recommendations. The report is referred back to the FE Quality and Administration Officer for a decision on how to resolve the issue.

The outcome of the formal stage will be communicated to the student in writing, outlining the reason(s) for the decision and if a complaint is upheld how and when any remedy will be implemented. The letter will also give information about:

- the student's right to take the complaint to the review stage;
- the grounds on which the student can do this;
- the time limit for escalating to the review stage;
- the appropriate procedure and;
- where and how to access support.

The timescale for the outcome will depend on the complexity of the matter in question. A student can normally expect to receive the outcome within 30 calendar days of submitting the complaint. If this is exceeded, the Investigating Officer should notify the FE Quality and Administration Officer of the reasons for the delay, and identify an expected completion date. The FE Quality and Administration Officer will communicate these to the student.

2.3.3 Stage 3 - Review Stage

If a student is dissatisfied with the outcome of the formal stage, they can request a review. The review stage is not a re-hearing of the original complaint, and will not automatically be given. The review stage will not normally involve a further investigation or consider the issues afresh. If they have not done so before, students seeking consideration at the review stage are advised to contact the Students' Union for independent advice and support.

A student wishing to request a review of a decision must do so within 14 calendar days of the decision at Stage 2 by informing the Academic Registrar in writing stating the grounds for the review.

Reviews may be sought on the following grounds only:

- (i) that there has been a material procedural irregularity which has demonstrably affected the outcome of the Stage 2 complaint;

- (ii) that the outcome at Stage 2 is not proportionate given the facts of the case;
- (iii) new material evidence which the student was unable, for valid reasons, to provide when the Stage 2 complaint was made and which would have significantly affected the outcome of the Stage 2 complaint.

The Academic Registrar or nominee will consider the request for review. If it does not meet the criteria outlined above, it will be rejected and the student will be issued with a completion of procedures letter. This concludes the process within the University.

Where the request for review is deemed valid, the Academic Registrar will arrange for the matter to be considered by a Reviewer, who will be a member of staff of appropriate seniority not involved in the complaint at any stage. They will review how the complaint has been dealt with and whether this was fair and reasonable. No new complaint or new element of the complaint may be introduced at this stage.

The method for the review is at the discretion of the Reviewer.

The review will consider documentation already submitted and the outcome of the formal procedure.

At the conclusion of the review procedure, the Reviewer will detail their decision in writing, setting out the scope of the review and the reasons for the decision reached. The timescale for this will depend on the complexity of the matter in question. A student can normally expect to receive an outcome within 21 calendar days of notification of the review procedure. If this is exceeded, the Reviewer should notify the Academic Registrar of the reasons for the delay, and identify an expected completion date. The Academic Registrar will communicate these to the student.

If the review is upheld in part or whole the Reviewer will identify a course of action, with advice from the Academic Registrar.

The Reviewer will agree the written outcome with the Academic Registrar. The Academic Registrar will send this to the student. This concludes the process within the University.

3. Completion of Procedure

3.1 Completion of Procedures letter

This letter concludes the University's formal complaints procedures and provides the student with formal confirmation that the student has completed all available stages of the internal complaints' procedures. It is issued at the end of Stage 3.

- 3.2 Students who have exhausted the University's internal procedures for complaints may take their complaint to the University of the Arts, London awarding body. Should a student decide to make a complaint to the awarding body, they must do so within 3 months of the date of the completion of the University's procedures. Students should contact the Academic Registrar for details of how to submit a complaint to the University of the Arts, London awarding body.

- 3.3 If following the completion of the awarding body's procedures regarding a complaint, the student is still not satisfied they are able to take their complaint to the Education and Skills Funding Agency (ESFA). Should a student decide to make a complaint to the ESFA, they must do so within 12 months of the act or omission being complained about. Students should contact the Academic Registrar for details of how to submit a complaint to the ESFA.

4. Other Provisions

Parent/guardian notification

- 4.1 Where a student is under 18, a parent, guardian or carer will be informed of proceedings at Stage 2 and Stage 3 and they may accompany a student to meetings within these stages. Where a student is under 18 at the start of the proceedings and turns 18 during them, written consent will be sought from the student to continue informing their parent, guardian or carer of the proceedings. Where written consent is not given by the student, the University will not be able to continue to inform parents, guardians or carers of the proceedings.

Attendance and conduct at meetings

- 4.2 The student can be accompanied by a companion at Stage 2 and Stage 3 meetings. This may be a Students' Union representative, parent, guardian, carer, friend or fellow student. Students may not be represented by an external organisation. The student will be notified of this right within the letter inviting them to the meeting. The student should inform the person calling the meeting if they will be accompanied and by whom.
- 4.3 The student's companion will be able to address the meeting in order to put the student's case forward, respond on the student's behalf to any view expressed and confer with the student. The representative should not usually answer questions on behalf of the student, but may provide clarification with the agreement of the staff members calling the meeting.
- 4.4 Every effort should be made by all participants to attend meetings as arranged. Where a student fails to attend on one occasion the University may decide to rearrange the meeting. If the student does not attend, a decision may be made in their absence on the evidence available at the second scheduled meeting.

Student support

- 4.5 Students may seek advice and support from the Student Welfare team, the Students' Union or the Chaplaincy team. The Student Welfare team are able to signpost students to external parties as relevant and students may also access a list of external organisations who may offer support through the Portal.
- 4.6 Where a student believes that they have needs which may impact on their ability to participate as appropriate in the procedure, it is the student's responsibility to raise this with the person calling the meeting as soon as possible. In such cases the University will consider providing appropriate reasonable support/adjustments during formal proceedings. The staff members calling the meetings shall be advised of any reasonable adjustments to be made.

5. Reporting, Monitoring and Documentation

- 5.1 It is important that complaints are monitored in order to improve the student experience. Academic Registry will record and provide reports on the nature of complaints to the relevant Further Education Committee and Academic Board.
- 5.2 All information which a complainant, or anyone else, provides to staff dealing with the matter in the course of an investigation of a complaint shall be treated as confidential, subject to the need to divulge information to investigate a case and any requirements of the Data Protection legislation. It is equally important that the complainant also respects the need for confidentiality throughout the complaints process. Where confidentiality is breached the University's Disciplinary procedures may be invoked.
- 5.3 Relevant members of staff involved in the complaint will be informed of the outcome. Senior members of staff may also receive a copy of the outcome in order for the University to consider issues identified from complaints.