

Academic Policies and Procedures



UNIVERSITY
CENTRE
SOUTH DEVON

 South Devon College

HIGHER EDUCATION

Student Academic Complaints Procedure v8

University of Plymouth Validated Programmes



Document Control

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Student Academic Complaints Procedure for University of Plymouth Awards

1. Introduction

The College is committed to ensuring that students have the opportunity to raise complaints without risk of disadvantage or recrimination. Each case will be considered on its own merits and in accordance with the College's policies and procedures, with regard to the evidence and circumstances presented. Complaints will be treated constructively and promptly with fairness and consistency. The College will ensure details of your complaint remain confidential to the parties concerned. The joint College and University of Plymouth Student Complaints Procedure is in keeping with *The good practice framework: handling student complaints and academic appeals* published by the Office of the Independent Adjudicator (OIA) and *UK Quality Code for Higher Education - Advice and Guidance: Concerns, Complaints and Appeals* published by the QAA.

Students can obtain free, independent and confidential advice and support about a complaint from the College Helpzone.

This procedure applies to all students on Level 4 and above programmes, including students on Higher and Degree Apprentices.

2. Should you raise a concern and make a complaint?

For the purpose of this procedure, a student complaint is defined as an expression of dissatisfaction by one or more students about UCSD's action or lack of action, or about the standard of service provided by or on behalf of the University. Raising a complaint under this procedure may not be the best, most appropriate or quickest way to deal with a problem. *Before* raising a concern or a complaint under this procedure please consider the questions below and the alternative routes available for raising a complaint.

Are you dissatisfied with aspects of your course?

- Issues or problems can be raised directly with the module leader, your personal tutor, programme leader or Head of Curriculum or at Programme Committees, and Student Consultative Forum's.
- Consult with Helpzone who can deal with matters directly or signpost and advise on who to raise your complaint with.
- Module evaluation exercises are a way to provide constructive feedback as is the annual Student Perception Questionnaire.

Are you dissatisfied with a decision made by an Award Assessment Board

- Dissatisfaction with Award Assessment Board decisions (including the Research Programme Taught Component Award Board), e.g. progression from stage to stage; withdrawal on academic grounds; degree classification; decisions of Committees of Investigation about academic offences, etc., should be submitted as an academic appeal. Information about the Appeal Procedure can be found [here](#).
- If you submit an Appeal which incorporates a complaint, your complaint will be investigated before your Appeal is considered.

Is your complaint about alleged misconduct or harassment either by another student or a member of staff?

- You should normally follow the Anti-Bullying and Anti-Harassment Policy and Procedure which sets out who you should speak to.

If the complaint relates to bullying and harassment by a student, then the matter will be investigated using the Student Code of Conduct and Disciplinary Procedure, which can be found [here](#) or by emailing University@southdevon.ac.uk.

If the bullying and harassment is in relation to a member of staff then the matter will be investigated using the Anti-Bullying and Anti-Harassment Policy. Further information on the College's approach to Bullying and Harassment can be found [here](#) or by emailing University@southdevon.ac.uk.

Issues that can be considered under this Procedure

- Aspects of your learning and teaching experience related to University of Plymouth Awards

Issues that cannot be considered under the Student Concerns & Complaints Procedure

- Student Service Complaints
- Student Complaints concerning qualifications awarded by Non-University of Plymouth Providers
 - Admissions
 - Complaints about bullying and harassment (see above)
 - Private accommodation arrangements
 - Student conduct (see above)

Please note, these lists are not exhaustive

3. Who can raise a complaint using this procedure?

- Undergraduate, including Higher apprentices students currently registered on a University of Plymouth award can make an academic complaint under this procedure. Former students may raise a complaint under this policy within 40 working days after they ceased to be a registered student at the College. The College expects students to raise the complaint themselves. Only in exceptional situations, can you ask a supporter or relative to raise a complaint on your behalf. You must give your express consent to someone to raise a complaint on your behalf. Students can submit a group concern or complaint. For degree apprentices also refer to your commitment statements received upon enrolment.

You cannot normally make an anonymous complaint as doing so can impede the investigation and communication of the outcome. The College may exceptionally decide to consider an anonymous complaint if there is a compelling case, supported by evidence, for the matter to be investigated.

The College will always treat your concern or complaint with appropriate sensitivity; information will be disclosed only to those who need to see it for the purposes of dealing with your complaint. If you are still uncertain about how to raise a concern or whether you can make a complaint, please contact the Higher Education Quality Office for advice; HEComplaints@southdevon.ac.uk

¹Defined as 40 working days from the End Date field on the College's student records system.

4. How to raise a complaint

If you have decided that raising a complaint under this procedure is the most appropriate step to take, there are three stages you should follow:

- The first thing you must do is raise your complaint via the Early Resolution Stage - your complaint can often be dealt with quickly and informally.
- If we cannot resolve your complaint informally, you can submit it as a *formal* complaint.
- Once you have received the College's response to your formal complaint, *in specific circumstances*, you can ask for a review.

5. Early Resolution Stage

What you need to do

- Consider whether it would be better to raise your complaint with your module leader, personal tutor, programme leader, Head of Curriculum, Assistant Principal, or designated substitutes or alternatively,
- Raise your concern, preferably in writing to HEComplaints@southdevon.ac.uk
The complaint will then be referred to the appropriate member of staff
Please note that you will be required to provide evidence of completing the Early Resolution Stage if you want to make a *formal* complaint.
- Raise the complaint as soon as your concern arises (and no later than 40 working days of the concern arising).
- When raising your complaint make clear your preferred outcome.
- You may be asked to attend a face-to-face meeting with the person considering your complaint, where the circumstances make this appropriate. You are entitled to bring a member of the College community to the meeting for support. You will not be entitled to bring a legal representative to the meeting. Normally, consideration of your complaint will be by correspondence and written evidence only.
- You can take advice from the [Helpzone](#)
- If you require any Wellbeing support whilst making a complaint please contact the HE Wellbeing team

What you can expect

- If you raise your complaint via email you will receive an acknowledgment normally within 10 working days with details of who will be dealing with your complaint.
- The member of staff dealing with your complaint will either provide a written response to your email or offer to meet you to discuss your complaint normally within 15 working days of your receipt of the acknowledgment. You can request a meeting to discuss the complaint further following a written response.
- If the response is likely to be delayed, you will be told why.
- Where you attend a meeting to discuss your complaint, the member of staff dealing with your complaint will send you a brief summary of the discussion, including the proposed resolution, normally within 5 working days of the meeting. If you don't agree with the summary, you can submit your own summary of the meeting, within 5 working days of receiving the summary, to be included in the case file.

6. The Formal Complaint Stage

If you are dissatisfied with the proposed resolution at the Early Resolution Stage, you can escalate to the Formal Stage. You must provide evidence confirming that the matter has been raised via the Early Resolution stage. A formal complaint will not normally be accepted without evidence of completion of the Early Resolution Stage, unless you can either demonstrate exceptional reasons as to why you have been unable to engage with the Early Resolution Stage of the process, or where early resolution is not possible or suitable due to the character, complexity or seriousness of the case. What you need to do

- You *must* complete the formal complaint form and submit it, and any supporting evidence, within 10 working days of receiving the response following the Early Resolution Stage. Please contact HEcomplaints@southdevon.ac.uk if you feel you need to submit your complaint in an alternative format. The College will consider on a case by case basis whether reasonable adjustments can be made to take account of the individual needs of students.
- You must explain how you have attempted to resolve your concern at the Early Resolution Stage and why you remain dissatisfied.

You must raise all matters of complaint and submit all supporting evidence at this stage, as you will not be able to raise new matters at the Review Stage. Additional evidence will not be permitted at the Review Stage unless you can demonstrate exceptional reasons why the evidence/information was not available at the Formal Complaint Stage.

- You may be asked to attend a face-to-face meeting with the member of staff investigating your complaint, where the circumstances make this

appropriate. You are entitled to bring a member of the College community or representative of UPSU to the meeting for support. You will not be entitled to bring a legal representative to the meeting. Normally, consideration of your complaint will be by correspondence and written evidence only.

- You can take advice from the [UPSU Advice Centre](#) or the [Helpzone](#) at any stage of the process.

What you can expect

- You will receive an acknowledgement of your complaint from the Quality Office within 5 working days.
- Your complaint will be directed to the Dean of Higher Education, Quality and Academic Registrar, or designated substitute at South Devon College.
- You will receive an acknowledgement from the member of staff investigating your complaint normally within 5 working days of it being sent to them. Where relevant, this will include the name of any nominee appointed to investigate your complaint.
- The person investigating your complaint will consider your form, any supporting information you have included with it and gather any further information they require. The investigator will discuss your complaint with any individual directly concerned with the complaint you have raised.
- Where you attend a meeting to discuss your complaint you will receive a summary of the meeting normally within 5 working days. If you don't agree with the summary you can submit your own summary of the meeting within 5 working days of receiving the summary, to be included in the case file.
- You will receive a written account of the College's response to your complaint, normally within 20 working days from the acknowledgement from the member of staff investigating your complaint, which will include the outcome of the investigation and what, if any, action will be taken.

***N.B.** If you submit your complaint directly to the Vice-Chancellor, Deputy Vice-Chancellor, Principal or Vice Principal, or other senior manager without having followed this procedure, it will be referred automatically (via the College's Complaints and Appeals Office) to the appropriate member of staff. This will inevitably lead to a delay in your concern or complaint being considered by the appropriate member of staff. The College's Complaints and Appeals Office will advise you that this has happened and outline the next steps you need to take.*

7. Review Stage

If you are not satisfied with the outcome of the Formal Complaint Stage, you may make a request for review to the University Complaints and Appeals Office, within 10 working days of the date of the response from the University. Complaints submitted will be reviewed only if the complainant is able to

demonstrate at least one of the following;

- That the College's response to your formal complaint failed to address all of the issues raised.
- That the College's response to your formal complaint failed to consider all of the evidence submitted.
- That there is evidence of bias and/or prejudice in the consideration of the complaint.
- That a procedural irregularity occurred in the consideration of your formal complaint.
- That any remedy offered is unreasonable in all the circumstances.

Being unhappy with the College's response at the Formal Complaint Stage is not sufficient grounds for the matter to be considered for review.

What you need to do

- Consider whether your request meets the criteria for review as detailed above.
- Complete a Request for Review Form within 10 working days of the date of the College's response to your complaint.

What you can expect

- The Complaints and Appeals Office Manager or nominee will assess your request for review using the criteria detailed above. The decision of the Complaints and Appeals Office as to whether or not to accept your request for review is the University's final decision.
- You will receive a response to your request for review normally within 10 working days of submitting your form to the Complaints and Appeals Office.
- If your request for review meets the criteria, your complaint will return to the formal complaint stage and be considered by a senior manager not involved in the first investigation of your formal complaint. You may not request a second review of the same complaint.
- If your request for review is rejected for failing to meet one of the criteria for review, you will receive a Completion of Procedures letter. This means that the University's internal procedures for dealing with your concern have been exhausted.

8. What are the timeframes for making complaints?

- Students should raise a complaint under the Early Resolution Stage as soon as the concern arises, and normally within 40 working days.
- Complaints submitted more than 40 working days after the issue(s) occurred will be considered only in exceptional circumstances. Exceptional circumstances are those in which the student is able to demonstrate good reason for not submitting the complaint earlier. The decision on whether or not to accept a late complaint is taken by the Complaints and Appeals Office and is the final decision of the University. A series of issues may compound themselves resulting in a complaint, the first of which may have taken place more than 40 working days before the complaint is submitted. In instances such as these, the investigating manager will consider all matters which are relevant to the complaint being made.
- Students should submit a formal complaint within 10 working days of receiving a response under the Early Resolution Stage.

How long does the complaint process take?

The College endeavours to answer all complaints as soon as possible. Normally the Student Complaints Procedure will be completed within 90 calendar days from the date that a formal complaint is submitted, in accordance with guidance from the Office of the Independent Adjudicator. If a complaint is complex it may take longer than 90 days and in these circumstances you will be advised accordingly and provided with updates on the progress of the complaint.

9. External Review - Office of the Independent Adjudicator for Higher Education

Once you have completed the University internal procedures, if you remain unhappy with the outcome you may refer your complaint to the Office of the Independent Adjudicator (OIA). This must be done within 12 months of the date of the Completion of Procedures letter you will receive once you have completed the University internal procedures.

Further information is available via [the OIA](#).

10. Vexatious Complaints

[The College's Vexatious Complaint Policy](#) outlines how the College will deal with complaints it considers to be persistent, harassing or disruptive.



UNIVERSITY OF PLYMOUTH

Student Complaints Procedure

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|---|--------------------------------------|--|-------------------------------------|--|
| Summary of any amendments: | | | | |
| <ul style="list-style-type: none"> • Definition of a complaint is provided • Advice to contact Complaints Team for guidance on group complaints • Clarity on how much notice a student is given where a meeting is required • Clarity that the 90 day time limit is from the time the Formal Stage begins • Language updated to be consistent with regulations | | | | |
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| To outline the internal stages a student can follow in the event of raising a complaint: | | | | |
| <ul style="list-style-type: none"> • Early resolution • Formal stage • Review | | | | |
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