

University Campus Oldham

HE Student Complaints Policy and Procedure

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UCO Student Complaints Policy

1 Introduction

- 1.1 Whilst University Campus Oldham (UCO) strives to achieve the highest standards in its provision of services, it does recognise that concerns or complaints will arise from time to time.
- 1.2 The UCO Student Complaints Procedure gives students a mechanism through which their concerns can be investigated and addressed.
- 1.3 The UCO Student Complaints Procedure applies to all current students registered on higher education courses with UCO and should be invoked within one calendar month of the incident which is the cause of the complaint. Students who have left UCO may invoke this procedure within one calendar month following termination of their academic studies.
- 1.4 The Procedure covers concerns and complaints regarding any academic or non-academic service provided by UCO.
- 1.5 UCO will ensure that no student bringing a concern or complaint under this procedure will be treated less favourably by UCO.
- 1.6 This procedure will take effect from September 2016 and supersedes all previous procedures.

2 Principles

- 2.1 The procedure comprises of three stages:
 - 2.1.1 Stage One – is the early resolution stage with emphasis on straightforward concerns being dealt with swiftly and locally, within the Faculty or Service Department;
 - 2.1.2 Stage Two – is the formal stage used where a student is dissatisfied with the outcome of early resolution, or where early resolution is not suitable due to the complexity or seriousness of the complaint;
 - 2.1.3 Stage Three – is the review stage where a student can appeal to the Vice Principal of HE and Higher Skills, for a review of the process of the formal complaint to ensure appropriate procedures were followed and that any decision taken is considered reasonable.
 - 2.1.4 Complaints that exhaust these three stages could then be referred by the student to the awarding body's complaints procedure.

- 2.2 The process should normally be completed within the timescales of the Procedure, however, there may be circumstances where the timescales cannot be met. When this occurs UCO will keep the student and Faculty updated on progress. UCO also expects students and Faculty to meet the timescales when communicating to UCO, unless there is evidence of exceptional circumstances beyond reasonable control of the student and/or Faculty.
- 2.3 All references to timescales in the Procedure relate to working days, excluding Christmas closure and statutory Bank Holidays.
- 2.4 The UCO procedure aims to be simple, clear and fair for all parties involved, with early resolution encouraged.
- 2.5 All Stage 2 complaints should be recorded on the Student Complaints Form and substantiated with evidence, attached to the form. Incomplete applications, or late submissions will normally be rejected.
- 2.6 Where possible, UCO will offer mediation as an opportunity to resolve complaints outside of the Procedure. Mediation is entirely voluntary for all parties concerned and participants must be willing to engage in the facilitated discussions, to resolve complaints informally and at the earliest opportunity.

3 Operational Conditions

- 3.1 The UCO Student Complaints Procedure cannot be used for matters relating to assessment performance and academic judgement, except where there is a complaint about a service provided which has to be resolved before an appeal decision can be made via the Academic Appeals Procedure of the relevant awarding partner.
- 3.2 Group Complaints – UCO will consider a group complaint, but the group must identify on the Student Complaint Form, one person as spokesperson and correspondent. All students must agree, in writing, that the spokesperson is acting on his/her behalf, and must be able to demonstrate that he/she had been affected by the subject of the complaint application. No additional students can be added to the complaint application once submitted.
- 3.3 Anonymous Complaints – the Student Complaints Procedure can only be effective if a complaint can be satisfactorily investigated. Clearly, this is not possible where complaints are submitted anonymously and these complaints would not normally be considered.
- 3.4 Third Party Complaints – UCO will not investigate a third party complaint unless it receives a signed statement from the student (not via email), authorising the individual bringing the complaint to act on his/her behalf. This includes complaints submitted by a parent, spouse of the student, guardian or legal representative.
- 3.5 Frivolous, Vexatious or Malicious Complaints – UCO would consider invoking the Student Disciplinary Procedure where complaints are found to be vexatious, frivolous or malicious, this being defined as trivial, untrue or wholly without substance or merit. Students or their representatives who are found to be aggressive, offensive or abusive, or where demands are deemed unreasonable or unreasonably persistent, will not be dealt with under this Procedure.
- 3.6 Any information gathered during this Procedure may be made available for other organisational processes, for example, an academic appeal or as part of a review of the complaint by our awarding body partners.
- 3.7 Confidentiality – Information used in this Procedure will be treated confidentially and only disclosed to those staff investigating and responding to the complaint, and as may be necessary to progress the complaint.

Any individual about whom a complaint is made will have the right to be informed of the fact and nature of the complaint by their line manager.

- 3.8 Timing of communications – UCO will ensure that all complaints are dealt with as promptly as possible, and would expect the organisation and the student to respond to all correspondence within the number of days prescribed within the procedure. However, UCO reserves the right to make reasonable extensions during vacation periods.

4 Monitoring and Evaluation

- 4.1 The Head of Quality and Registry will oversee the tracking of complaints progressed through the procedure in consultation with the Director of HE Development and Learning. A written report will be submitted annually to the UCO Quality Improvement Group and the HE Executive Board. The report will provide statistical data and identify any trends or wider issues, with recommendations to assist UCO to further good practice in the management of the Student Complaints Procedure.

University Campus Oldham – Student Complaints Procedure

Stage 1 – Informal Stage

It is anticipated that the majority of complaints will be resolved satisfactorily on an informal basis and close to their point of origin. However, UCO recognises that there may be exceptional circumstances where this is not appropriate, in particular where the issues are complex and will require detailed investigation e.g. where a complaint relates to the conduct of staff members or covers a number of different incidents. In these circumstances, a formal Stage 2 complaint should normally be made within one calendar month of the alleged incident or concern.

In most cases, therefore, initial contact should be made with the relevant member of staff who is responsible for dealing on a day-to-day basis with the matter being complained about. For example, if the complaint refers to an academic matter, the first point of contact should normally be the module tutor, personal tutor or course leader. Initial contact can also be by a spokesperson on behalf of a group, usually the Course Student Representative (at this stage of the procedure would not require a signed statement from the individuals concerned).

In order that a complaint can be dealt with effectively and efficiently, it should be drawn to the attention of the relevant member of staff immediately where possible and in any event normally not later than one calendar month after the incident giving rise to the complaint.

Once the complaint is reported, the relevant member of staff will normally discuss the complaint with you and other persons involved and make any other enquiries as appropriate, to determine whether it can be resolved without recourse to more formal procedures.

A written record of the outcome will normally be sent to you within 10 working days. This will be notified to the Director or Head of Service where the effectiveness of the Faculty/Service could be improved, and may also be referred to in the event that the complaint is progressed to stage 2. Where informal resolution is not appropriate or possible, you will be directed to the formal stage below.

Stage 2 – Formal Stage

If the student does not consider the complaint to be resolved by the response to Stage 1, then they may invoke Stage 2 of the Student Complaint Procedure by completing the Student Complaint Form. This should be submitted to the Head of Quality and Registry within 10 working days from the date of the final response to Stage 1.

The Student Complaints Form requires the student to outline the nature of the complaint, confirm that Stage 1 has been undertaken to try to resolve the complaint, explain why the student is dissatisfied with the outcome of Stage 1 and outline what they would consider a satisfactory outcome to their complaint. The Head of Quality and Registry will acknowledge receipt of the complaint within 5 working days.

The Head of Quality and Registry has responsibility for appointing an independent Investigating Officer to investigate the complaint, who has not been involved in the matter under consideration. Where a complaint arises within a Faculty or Service Department, the Investigating Officer should preferably be appointed from a different Faculty or Service Department. The complaint form shall be forwarded to the Investigating Officer to enable them to carry out their role. The Investigating Officer will normally meet or communicate with the student to discuss the matter in further detail.

It is anticipated that investigation of the majority of Stage 2 complaints will be completed within 30 days of the appointment of an Investigating Officer. UCO reserves the right to make a reasonable extension during vacation periods. The student will be kept informed of any delays in the investigation.

The Investigating Officer will produce a report stating if the complaint has been upheld, partially upheld or rejected, with a clear explanation on how this decision has been reached and any action the Faculty/Service Department intends to take. On receipt of the report the Head of Quality and Registry

may also make recommendations to the Faculty Learning or Head of Service. The Head of Quality and Registry will communicate the outcome of the complaint to all concerned.

Stage 3 – Review Stage

If the student does not consider the complaint has been resolved by the response to Stage 2, they may apply to invoke Stage 3 for a review of the decision. This request for review should be addressed to the Head of Quality and Registry, in writing, within 10 working days from the date of notification of the outcome of Stage 2.

The Stage 3 investigation will be conducted by the Director of HE Learning and Development or nominee, who will review the complaint and communication their conclusions to the student, in writing, within 20 working days of receipt of the Stage 3 notification.

UCO reserves the right to make reasonable extension to the timescales, for example dealing with complex issues within the complaint, or during vacation periods

Stage 3 may only be invoked when Stage 2 has been completed. The student may not introduce any new issues of complaint at Stage 3.

The grounds for invoking a Stage 3 appeal are:

1. The emergence of new and relevant evidence that was not available to the original process of consideration for good or reasonable cause.
2. There was an irregularity in the original process, which has materially disadvantaged the student.
3. Evidence is available to show that the outcome reached at an earlier stage was manifestly unreasonable. In this context, unreasonable shall be taken to mean perverse, i.e. the outcome was not a possible conclusion that a similar process of consideration might have reached.

The conclusion of Stage 3 brings to an end the Complaints Procedure within UCO and a Completion of Procedures letter will be issued in line with the Office of the Independent Adjudicator guidelines.

Higher Education courses delivered at UCO are conferred by University partners and students have the ultimate right to appeal to the University in the case of issues which impact on the student's programme of study. Therefore, if students are dissatisfied with the outcome once they have exhausted all stages of the UCO complaints procedure, they have a right to appeal to the relevant University for review of their complaint. Students wishing to invoke this stage should contact the Head of Quality and Registry, within 10 working days of receiving their Stage 3 outcome, and they will be advised on how to proceed.

If you remain dissatisfied with the outcome of the decision of the University, you may direct your appeal to the Office of the Independent Adjudicator (OIA). Before you can do this, you must have exhausted all stages available to you, as detailed in this Procedure. If your concern reaches this stage, we will give you full information on how to proceed. You should note that any complaint made to the OIA must be made in writing within 3 months of receiving the Completion of Procedures letter.