



Higher Education Programmes Complaints Policy

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1. General Principles

- 1.1. No student will be disadvantaged in any way as a consequence of raising a complaint.
- 1.2. Complaints will be dealt with confidentially by all parties involved. The only exception to this is where it is necessary to disclose information to carry out a fair and full investigation or where we are obliged by law or our safeguarding policy to reveal the subject matter of the complaint to a third party. This means that a student's identity would not be usually be disclosed to a person who is the subject of the complaint.
- 1.3. Complaints will focus on resolution, with specific focus on early and local resolution.
- 1.4. Complaints will be used as a learning tool to improve the quality of service across University Studies at West Suffolk College.
- 1.5. All parties involved will be courteous, and act reasonably and fairly to each other.

2. Scope: Who Can Use This Process?

- 2.1. This policy covers complaints from registered students who are studying any programme described as at level four and above at West Suffolk College including for example;
 - 2.1.1. Full or parttime undergraduate students;
 - 2.1.2. Degree or higher-level apprentices;
 - 2.1.3. Association of Accounting Technicians (AAT).
- 2.2. A former student may also bring a complaint under this procedure within 60 days after their formal end to study, but only if the complaint could not reasonably (supported by evidence) have been brought while he or she was a registered student (i).
- 2.3. The policy does not apply to students studying on University of Suffolk awards. The College will consider an initial, informal feedback/complaint using processes for informal feedback similar to those contained within this policy (Stage 1), but formal complaints requiring investigation should be directed to the University of Suffolk's Office for Student Appeals, Complaints and Conduct (OSAAC) under whose auspices University of Suffolk students fall.

3. Timeframes

- 3.1. Complaints should be raised with the Head of Department for the most relevant service area as soon as possible to ensure prompt investigation and, wherever possible, swift resolution. Complaints must be raised within 60 days of the matter becoming apparent.
- 3.2. Appeals and progression through the levels of complaints must be made within the stated timeframes, please see Section 12 below.
- 3.3. Complaints submitted outside of the timescales set out in this procedure will only be considered in the most exceptional circumstances and, where there is good reason for delay which is supported by evidence.

4. Development: How was this policy developed?

- 4.1. Student engagement

4.2. External reference points

- 4.2.1. Office of the Independent Adjudicator (OIA) Good Practice framework: handling students complaints and academic appeals oia-good-practice-framework.pdf (oiahe.org.uk)
- 4.2.2. Competitions and Markets Authority (CMA), who govern the Higher Education market and structure expectations of providers as vendors.
- 4.2.3. Quality Assurance Agency (QAA)- Advice and Guidance for Concerns, Complains and Appeals qc-a-g-concerns-complant-appeals.pdf

5. What is a complaint? How is this different to feedback?

5.1. It is important to understand the difference between a complaint and feedback as this may affect the way it is handled and what you can expect from this procedure.

5.1.1. What is a complaint?

A complaint normally requires a specific solution or response to a specific issue that impacts a student or group of students. The College has adopted the OIA's definition of a complaint, as such a complaint is understood to mean "an expression of dissatisfaction by one or more students, or former student, about a provider's action or lack of action, or about the standard of service provided by or on behalf of the provider"

5.1.2. What is feedback?

You may wish to give your views on a matter of College practice or provision, this can be done through the College feedback mechanisms normally through end of module/year reviews or through Course Boards. The ways in which you can give feedback are outlined in the Student Engagement Strategy. This also gives you the opportunity to comment on the value of our feedback mechanisms and how they could be improved. We respond to students' feedback through Course Boards the minutes of which are published on the Virtual Learning Environment (VLE).

6. How to use the Complaints procedure.

- 6.1. A practical guide to initiating a complaint under this policy can be found under Section 12 below.
- 6.2. The College strongly advises that the complainant/s seek advice and assistance from their Personal Support Tutor Team prior to making any level of complaint, available here: <https://www.universitystudies.wsc.ac.uk/support-services>
- 6.3. Students, or groups of students should ensure that they are using the correct process to enable the earliest possible resolution to any matter that they choose to raise. As such a complaint may relate to for example;
 - 6.3.1. Concerns about the delivery of a programme or service, for example, learning and teaching including placement learning;
 - 6.3.2. Failure to provide a service;
 - 6.3.3. Information that they received in relation to their course;
 - 6.3.4. The quality of learning resources or facilities that directly impact on learning;
 - 6.3.5. Inappropriate or concerning behaviour by a staff member, including teaching and/or support service staff;



- 6.3.6. Failure of the College to provide appropriate administrative or academic processes.
- 6.4. This process does not include:
- 6.4.1. Any matter relating to an academic judgementⁱ including for example, marking, placement evaluation, academic integrity or progression to the next level of study, which can be dealt with through the Academic Appeals process;
 - 6.4.2. Admissions decisions;ⁱⁱ
 - 6.4.3. Matters that have already been, or are under consideration, by this Complaints Process.
- 6.5. Students should submit complaints to **universitystudies@wsc.ac.uk**. The subject line should clearly state “Higher Education Complaint”, students need to attach the recognised complaints form which is available here <https://www.universitystudies.wsc.ac.uk/policies> This form has been developed to ensure that there is an early resolution to any matters raised under this policy.

7. Group Complaints

- 7.1. A group of students may submit a joint complaint, but a group representative must be nominated with whom the College will correspond and who will be responsible for liaising with the other complainants.
- 7.2. The University Studies Personal Support Tutor Team can support the representative if they wish but they cannot represent the group. The College may separate group complaints where it considers that the issues raised impact complainants differently or where complainants are seeking different solutions.

8. Support and Representation for Students who wish to Pursue a Complaint

- 8.1. The College encourages complainants to seek advice and support regarding the complaints processes. This will help them to raise matters effectively and bring about changes, that are fair and reasonable, most successfully. Advice and support are available from The University Studies Personal Support Tutor Team or the Student Governor, whose contact details can be found at <https://www.universitystudies.wsc.ac.uk/support-services>.
- 8.2. Complaints should be made by complainants themselves, as they will have the best knowledge of their own circumstances and will best understand their own individual requirements. However, in some limited circumstances and where there is sound material reasonⁱⁱⁱ the College will allow a request from a third party acting as the complainant’s authorised representative. In this case, the College will communicate only with the representative.

9. Anonymous Complaints

- 9.1. Anonymous complaints are not normally accepted by the College as they are difficult to investigate robustly and fully.

- 9.2. Exceptionally, the College will investigate an anonymous complaint where it is supported by credible evidence and the case for anonymity is made convincingly. The findings of these investigations will be considered by the University Studies Leadership Team (ULT).

10. Vexatious and Frivolous Complaints

- 10.1. A vexatious complaint is one that is pursued, regardless of its merits, about something that is unreasonable or without foundation, or else is repetitive, burdensome or unwarranted. Vexatious complaints may be obsessive, harassing or pursued in an unreasonable manner.
- 10.2. There is a presumption that complaints are made in good faith. Therefore, complaints that are deemed to be frivolous or vexatious may be terminated.
- 10.3. In this case the investigator will inform the complainant in writing, outlining their reasoning and providing details on the next steps that are available.

11. Summary of the Complaints Process

Below is a summary of the complaints procedure, this is to enable students to understand the outline of the procedures. Details of the complaint procedure are located in Section 12, below, and complainants should have a clear understanding of these details before and during a complaint. At all stages students should seek support from the Personal Support Tutor Team.

	Stage 1 - The Informal Stage	Stage 2 - The Formal Stage	Stage 3 - Review
<i>What students need to do</i>	<p>Discuss your concerns with your Course Director as soon as they become apparent. A list of current Course Directors can be found here. This creates the best opportunity to have matters resolved quickly and with as little disruption as possible. You will have to complete the Complaint Form, which can be accessed here.</p> <p><i>If your Course Director is not an appropriate person to contact, you should contact your Head of Academic Department. A List of Heads can be found here.</i></p>	<p><i>Complete the complaints form available http://here as fully and completely as. Follow the instructions carefully in order that your complaint is received correctly and in a timely way.</i></p>	<p><i>Please ensure that you read the complaints procedure carefully, particularly section 12.3 below. You will need to provide the evidence described in section 12.3, and complete a Review Request Form here Http:</i></p>
<i>What will happen next?</i>	<p><i>Your Course Director will listen carefully to your concerns, how these are impacting on you and what potential solution you are seeking.</i></p>	<p><i>An investigator who will NOT have been involved at stage one and is not normally involved within the complaint, will be appointed to investigate.</i></p>	<p><i>This part of the Procedure will be heard outside the Department where the Complaint was made. It will be by a panel of senior college staff. Its initial focus will be to determine whether there is evidence that substantiates the requirements of section 12.3 of this procedure. Should this be the case the panel will hear the complaint in its entirety and decide on an outcome. The student will be informed of the extent to which the complaint has been upheld together with the actions taken as a consequence.</i></p>
<i>How long should this take?</i>	<p><i>Normally this will not take more than 10 days.</i></p>	<p><i>This will not normally take more than 15 working days, however depending on the nature of the complaint this may be very much shorter, but in the case of complex complaints it may take somewhat longer, but you will be kept informed of this</i></p>	<p><i>This will not normally take more than 20 working days, however depending on the nature of the complaint this may be very much shorter, but in the case of complex complaints it may take somewhat longer but you will be kept informed of this.</i></p>
<i>What might the outcome be?</i>	<p><i>The Course Director may agree with you wholly or partially, or they may dismiss the complaint. Depending on this outcome they may whole or partially agree to your requests. For example, if some classes needed to be rescheduled because of severe weather students may request a change to the submission date of an assignment.</i></p>	<p><i>Your complaint may be upheld fully or partially, or your complaint may be dismissed. You will be informed in writing with the rationale behind the decision. Where your complaint is either fully or partially upheld your outcome letter will describe the solutions to be put in place. Where a complaint is dismissed the rationale for this will be clearly outlined</i></p>	<p><i>There are two parts to this stage, Part A, determines whether or not there is sufficient reason to review the outcome of the case, the reasons are described in section 12.3 below. The second part only takes place where there is agreement that it is reasonable to review the case. In this eventuality the Panel will reconsider all the available evidence and decide if further investigation needs to take place. They will then, following any further investigation if this was necessary, determine the outcome of your complaint. This may be dismissed, upheld or partially upheld, depending on the decision the mitigation actions will be outlined in your outcome letter.</i></p>
<i>What happens if I am not satisfied with this outcome?</i>	<p><i>You can progress your complaint to stage 2 of the complaint procedure.</i></p>	<p><i>You can apply to appeal this decision at Stage 3.</i></p>	<p><i>We will issue you a Completion of Procedures letter, this enables you to have your complaint heard by the OIA which is available at; How to complain to us - OIAHE</i></p>

12. The Complaints Procedure

12.1. Stage 1 Early/Local Resolution

- 12.1.1. This is the first stage of raising a complaint; students are encouraged to raise a complaint or concerns as soon as they become aware of a problem, or, at the latest, within 60 days of when the issues have become apparent.
- 12.1.2. This stage should be resolved within 10 working days.
- 12.1.3. At this stage, the complaint may be raised either in person, by phone or by email to the Course Director. A current list of course directors is available at (<https://www.universitystudies.wsc.ac.uk/support-services>.) However, in order that a complaint is recognised as such and considered under this policy, the complainant will be expected to complete the complaints form available from <https://www.universitystudies.wsc.ac.uk/policies> and submit this to universitystudies@wsc.ac.uk within the timeframe.
- 12.1.4. This enables the College to conduct a full and thorough investigation into the matters identified. Complaint forms need to be accompanied by all relevant supporting evidence and documentation, in order to allow the investigation to commence.
- 12.1.5. Emails to individual members of staff, other than the Course Director, will not be considered under this process. In this case the member of staff **must** redirect the student through the appropriate channels. If the student does not use the appropriate channels, then such emails will not be considered as the initiation of this Complaint Process.
- 12.1.6. The purpose of a complaint is to seek a resolution as soon as is possible. Therefore, it is important that the complainant is supported to articulate their dissatisfaction clearly and succinctly, the ways that these matters are impacting on their opportunities, together with what the student seeks as a resolution.
- 12.1.7. The outcome of Stage 1 will be communicated to the complainant by email to their college email address, the University Studies Academic Services team will be included in the email. The outcome will clearly state the problem/s, its impact and the resolution proposed, together with a brief outline of the steps of the investigation.

12.2. Stage 2 Formal Stages of Complaint.

- 12.2.1. A Stage 1 complaint will be escalated to the formal stage when:
 - 12.2.1.1. The problems raised by the complainant are serious, complex and/or require detailed investigation and where the implications may be significant.
Or when,
 - 12.2.1.2. Local and early resolution has been attempted but the complainant remains dissatisfied following receipt of the Stage 1 outcome and:
 - 12.2.1.3. Takes action to escalate the matter according to the options laid out in the Stage 1 outcome letter. This must be done within 10 working days of dispatch of the outcome letter.
- 12.2.2. Complaints will be acknowledged as soon as possible, with more detailed information about next steps sent within 3 working days. A full response will be provided to the complainant typically no later than 10 working days from escalation to Stage 2, together with receipt of all associated documentation.
- 12.2.3. An investigator will be appointed to manage the complaint and the response at this stage, but it will not usually include those staff who were involved at Stage 1.

- 12.2.4. Typically, the investigator may consider a number of key questions:
- 12.2.4.1. Have the matters been brought to the attention of the College in a timely way that allows a resolution to be put in place?
 - 12.2.4.2. What specifically does the complaint relate to in terms of the College's obligations to the complainant?
 - 12.2.4.3. What might a student reasonably expect in relation to the service provided?
 - 12.2.4.4. To what extent have these matters negatively impacted the student experience?
 - 12.2.4.5. Was any potential resolution offered?
 - 12.2.4.6. Are the complainant's expectations reasonable and achievable?
- 12.2.5. If the complainant's expectations appear to exceed what the College may reasonably provide, or are not within the College's power to provide, the complainant should be advised of this as soon as possible in order to manage their expectations about possible outcomes.
- 12.2.6. The outcome of Stage 2 will be communicated to the complainant by email to their college email address, the Vice Dean (as chair of the Academic Development and Quality Assurance Committee) will be included in the email.

12.3. Stage 3 Formal Institutional Review of Complaint.

- 12.3.1. A Stage 3 review may be requested when:
- 12.3.1.1. there is evidence of procedural irregularity or bias at Stage 2;
 - 12.3.1.2. the Stage 2 outcome is considered unreasonable;
 - 12.3.1.3. material evidence is available that was unavailable at Stage 2 and there is convincing evidence that this could not be made available earlier.
- 12.3.2. The application for review at Stage 3 must be received within 10 days of the dispatch of the outcome letter at Stage 2. Applications for review will be acknowledged within 3 working days.
- 12.3.3. An panel will be appointed to manage the complaint and the response at this stage, but it will not usually include those staff who were involved at Stage 1 or 2.
- 12.3.4. A full response will be provided to the complainant typically no later than 20 working days from the time that the request for escalation to the Review Stage, and all associated documentation, was received for investigation.
- 12.3.5. Where there are clear and justifiable reasons for extending the timescale for considering a complaint at Stage 3, the panel chair responsible for the investigation will set further time limits on extending the review. The complainant will be notified in writing and will be kept updated on the revised deadline for bringing the review at Stage 3 to a conclusion. If the complainant feels the outcome is being unreasonably delayed, they can write to Executive Dean for Higher Education setting out why they feel this is the case.
- 12.3.6. The complainant is advised to seek advice and assistance prior to completing the complaint form from the Personal Support Tutors to ensure the best possible application for review is made.
- 12.3.7. A panel will be formed, from outside the department about which the complaint is made, in order to determine whether there are sufficient grounds to allow the case to be heard at stage 3.
- 12.3.8. No-one involved in the complaint under investigation will be a member of the panel.



- 12.3.9. The review will be held in two parts; Part a, determines whether or not the threshold for Review has been met under 12.3.1.1-3 above. In forming its view, the reviewer will normally consider;
- 12.3.9.1. Were appropriate procedures followed at stage 1 and stage 2?
 - 12.3.9.2. Were the outcomes of the formal stage reasonable and based on all the available evidence?
 - 12.3.9.3. If relevant new evidence been submitted has convincing reasons been provided that explains why this was not previously made available?
 - 12.3.9.4. Is the new evidence valid and relevant to the case?
 - 12.3.9.5. Do the complainant's expectations exceed the scope of the review?
- 12.3.10. The review panel will only consider the matter on the grounds listed above and will not consider the issues afresh or carry out a further investigation in the first part. If the panel determines that there is insufficient evidence, then it will write to the complainant/s to explain this.
- 12.3.11. If the review panel upholds a review request, appellants will be informed that the matter will be reconsidered in its entirety by the panel; this may involve further investigation (part b).
- 12.3.12. If no further investigation is necessary, the review panel will determine the final outcome of the review. Complainants will be informed by email to their college email account.

13. Independent External Review

- 13.1. Once the Review Stage has been completed and an outcome issued to the complainant, or it is determined there are insufficient grounds for the complaint to be considered within Stage 3, the Colleges HE Student Complaints Process has concluded.
- 13.1.1. The College will issue a Completion of Procedures (CoP) letter and this entitles the complaint to approach the OIA to consider their complaint. The complaint must be received by the OIA within twelve months of the CoP letter being issued by the College. It typically takes a number of months for the OIA to consider a complaint and issue an outcome. Further information about escalating a complaint to the OIA is available on: **How to complain to us - OIAHE**

14. Recording and Monitoring of Complaints.

- 14.1. It is important that complaints are monitored in order to improve the student experience. The ULT records and provides reports to indicate the nature of complaints and complainants, and resultant action. These reports are considered in the following ways;
- 14.1.1. The monitoring and evaluation of programmes of study, department, and the College;
 - 14.1.2. Feed directly into appropriate College committees;
 - 14.1.3. Assist in identifying problems and trends across the College;

ⁱ See the Student Academic Appeals Procedures outlined in the Academic Regulations that apply to your course

[#] Student Admissions and Recruitment Complaints Procedure

[#] This will normally be health reasons, including mental health, which are substantiated through full medical diagnosis.