

Academic Policies and Procedures

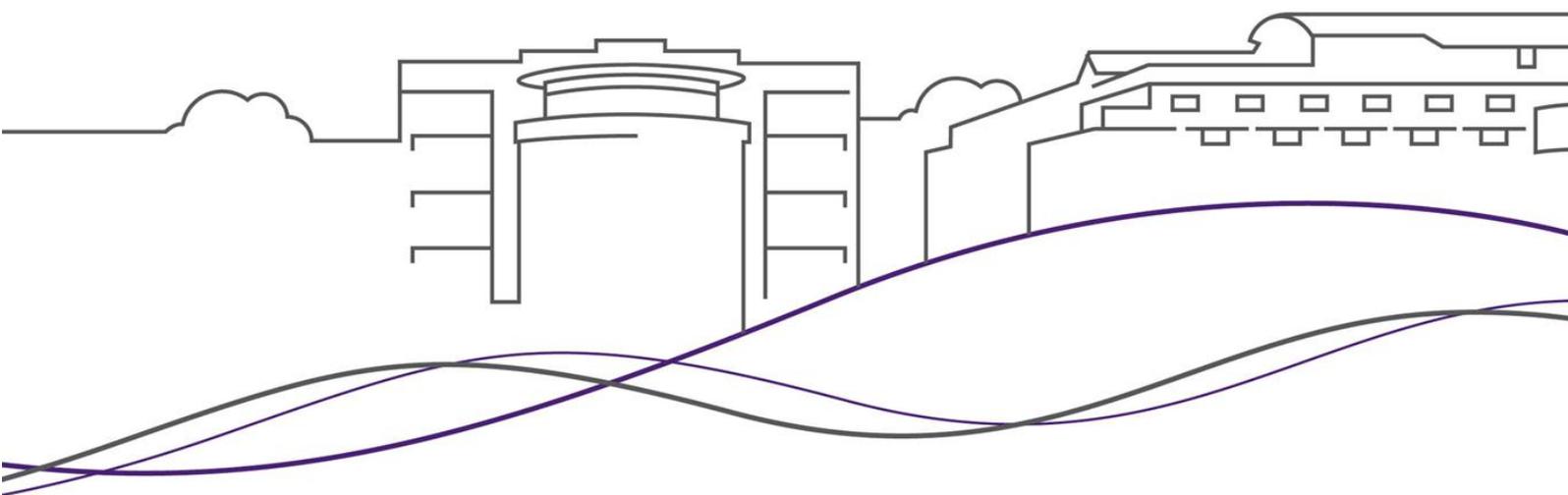


UNIVERSITY
CENTRE
SOUTH DEVON

[] South Devon College

HIGHER EDUCATION

(HEAPP1) Student Service Complaints Procedure v3.0



Document Control

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Student Service Complaints Procedure

Contents

1. Introduction	4
2. Should you make a complaint?	4
Are you dissatisfied with aspects of your course?	4
Is your complaint about alleged misconduct or harassment either by another student or a member of staff?	4
3. Making a complaint	5
Who can make a complaint?	5
What are the time frames for making complaints?.....	5
4. How the Colleges Student Service Complaints Procedure operates	7
.....	7
5. Stage 1: Informal Resolution	8
6. Stage 2: Formal Written Complaint	8
7. Stage 3: Referral to a Complaints Panel	9
8. Referral to the Office of the Independent Adjudicator for Higher Education	10
9. Appendix 1 - Stage 3 Complaints Panels	11
10. Appendix 2 - Formal Complaint Form	13

1. Introduction

The College aims to provide high quality services to students. Unfortunately things occasionally go wrong. Whatever your complaint you can expect it to be dealt with promptly and fairly and in line with the University's policies and procedures. You will not be disadvantaged or treated less favourably by making a complaint.

2. Should you make a complaint?

A complaint may not be the best way to deal with the problem. If you are still not sure after you have studied this information, please contact the Faculty Office which will be able to advise you further.

This Policy relates solely to Students on Higher Education Programmes

This Policy should only be used for complaints that relate to services issues provided by South Devon College, for example but not limited to:

- misleading or incorrect information in a prospectuses or promotional material;
- concerns about the administration of programmes;
- poor quality facilities, learning resources or other services provided by the College

For complaints relating to academic matters, such as the college failure to provide obligations including those outlined in the programme specification and the delivery of programmes, students should follow the Academic Complaints Policy.

Are you dissatisfied with aspects of your course?

- issues/problems can be raised at Programme Committees by your course rep or other student representative;
- the annual Student Perception Questionnaire is an opportunity to provide critical feedback. Most final stage undergraduate students are also asked to participate in the National Student Survey, the results of which are used to help the College improve its support for the student learning environment;

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

- You should normally approach your Section Head, or in their absence another appropriate senior member of the College. The Faculty Office, or the Deputy Head of Higher Education will be able to tell you who this is if you do not know. Complaints about bullying and harassment cannot be considered by the Complaint Review Panel, but all complaints received on these grounds will be referred to the Section Head for review and action where appropriate.

Issues that can be considered under the Complaints Procedure¹

- Service issues
- Facilities

Issues that cannot be considered under the Complaints Procedure

- Aspects of your learning and teaching experience
- Any academic decision taken by an assessment board
- Admissions
- Complaints about bullying and harassment

3. Making a complaint

If you have decided that the complaints procedure is the most appropriate step to take, please read the following before going any further.

Who can make a complaint?

- Students who have completed their studies and still wish to make a non-academic complaint to the College should do so within 90 days of the end of the period of registration. The 90 days begins 5 working days after the final appeal deadline. (Please note that, as set out below, complaints should normally be made within three months of the end of the academic year in which the event(s) leading to the complaint occurred).
- Complaints by members of the public against the College should be directed to the Principalship Office.
- You cannot make an anonymous complaint. The Student Service Complaints Procedure can be used by an individual student or by someone acting on the student's behalf with their express written consent, or by a group of students. Complaints cannot be anonymous but we will always treat them with appropriate sensitivity; information will only be disclosed to those who need to see it for the purposes of dealing with your complaint. .

What are the time frames for making complaints?

- It is in your best interests to make a complaint as soon as possible, when events are clear in the minds of everyone involved and when evidence may be more readily available.
- Complaints must be made within three months of the end of the academic year in which the event(s) leading to the complaint occurred. Complaints made out

¹ These lists are not exhaustive.

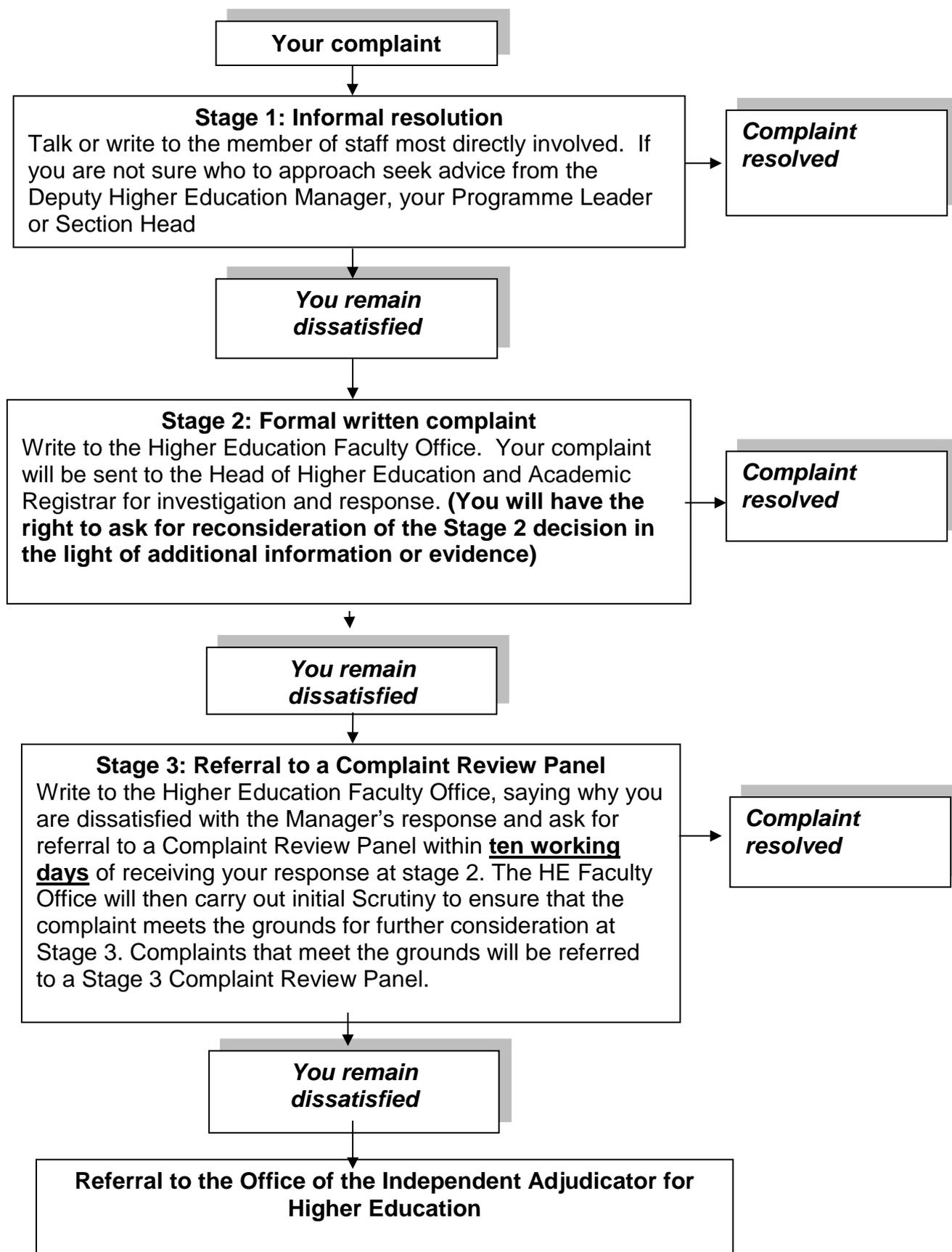
of time will not normally be considered unless the student can demonstrate reasonable grounds for why the complaint was not made earlier.

- The College acknowledges that it may take time to investigate and resolve your complaint but we will endeavour to do so within the timescales indicated and to notify you of any delay.

How long does the complaint process take?

The College endeavours to answer all complaints as soon as possible. Normally the complaint process will be completed within 90 days from the date that a student submits a complaint. If a complaint is complex it may take longer than 90 days and in these circumstances the student will be advised accordingly and provided with updates on the progress of the complaint.

4. How the Colleges Student Service Complaints Procedure operates



5. Stage 1: Informal Resolution

Discuss the problem with the member of staff most directly concerned. This might be your programme leader, supervisor(s) or a person responsible for a particular service. Many complaints can be dealt with informally through discussion and explanation. If you are not sure to whom you should make your complaint, you can ask the Deputy Head of Higher Education for advice and support

It is important that you seek resolution as soon as is reasonably practicable, and normally within 20 working days of the occurrence of the problem. This increases the possibility of sorting out the problem quickly.

If you choose to submit your informal complaint in writing you should receive an acknowledgement within ten working days and will normally receive a response within 15 working days. If it seems possible that a response will be delayed you will be told why, e.g. the complexity of the case, staff unavailability through illness or professional commitments, etc. and you will be kept informed of progress.

If you remain dissatisfied having approached the member of staff most directly concerned, you should talk to the Section Head or the Head of the Service involved. It may still be possible to deal with your complaint informally.

6. Stage 2: Formal Written Complaint

If it has not been possible to resolve your complaint informally you can lodge a formal written complaint via the HE Faculty Office. You should lodge your formal complaint normally no later than 20 working days after you have completed Stage 1.

You should use the complaint form available here as Appendix 2.

You will receive a written acknowledgement of your complaint from the HE Faculty Office within five working days. Your complaint will be directed to the Head of Higher Education who will investigate liaising with those responsible.

N.B. If you submit your complaint direct to Principal, Vice Principal or other senior manager without having pursued informal resolution first, it will be referred automatically (via the HE Faculty Office) to the appropriate member of staff). You will receive a letter from the HE Faculty Office advising you that this has happened and the name of the person dealing with the complaint.

You can expect to receive a written acknowledgement of your complaint from the relevant senior manager normally within five working days of it being sent to them by the HE Faculty Office. The Head of Higher Education will then investigate the case. The investigation will include discussing the complaint with any individual directly concerned with the service or action complained of. You should get a full response from them within 20 working days. If it seems possible that a response will be delayed you will be told why, for example due to the complexity of the

case, staff unavailability through illness or professional commitments etc. and you will be kept informed of progress.

You will be told of the outcome of the investigation and what, if any, action is to be taken. You may receive an apology or a statement on how systems will be improved for the future. If the University intends to take no further action you will be told why not.

The letter from the Head of Higher Education confirming the decision relating to your complaint at Stage 2 will also be accompanied by copies of any written evidence which was used to form the judgement. You have the right to ask for reconsideration of the Stage 2 decision in the light of additional information or evidence. The request for reconsideration should be made within two weeks of receiving the decision at Stage 2. All parties should be aware that this is the final opportunity to submit written evidence for consideration. Any further/new evidence from the area/s concerned must be copied to you and you must be given an opportunity to respond to it before the reconsidered decision is made.

7. Stage 3: Referral to a Complaints Panel

It is possible that even after you receive a full written response to your complaint you are not satisfied with the outcome. If this is the case you should write to the HE Faculty Office within ten working days of receipt of the response to your complaint at stage 2 of the procedure, explaining why you remain dissatisfied and what you would consider to be a satisfactory response. You cannot simply reiterate the original formal complaint. You will receive an acknowledgement of your letter within five working days of it being received by the HE Faculty Office.

Complaints submitted at Stage 3 will be reviewed by a Stage 3 Complaint Review Panel only if the complainant is able to demonstrate at least one of the following;

- That the Stage 2 response failed to address all of the issues raised.
- That the Stage 2 response failed to consider all of the evidence submitted.
- That there is evidence of bias in the consideration of the complaint.
- That a procedural irregularity occurred in the consideration of the Stage 2 Complaint.
- That any remedy offered is unreasonable in all the circumstances.

Being unhappy with the Stage 2 complaint outcome is not sufficient grounds for the matter to be considered, automatically, at Stage 3. The Conduct, Complaints, and Appeals Office will carry out an initial scrutiny of all Stage 3 Complaints request using the criteria set out above. A reiteration of a Stage 2 complaint is not sufficient grounds for escalating a complaint to Stage 3 Complaints request using the criteria set out above. A reiteration of a Stage 2 complaint is not sufficient grounds for escalating a complaint to Stage 3.

The decision of the Conduct, Complaints, and Appeals Office of whether or not to accept a complaint at Stage 3 is the University's final decision.

The HE Faculty Office will contact the Head of Higher Education responsible for investigating your complaint at Stage 2 and request the pack of all the written evidence used in the original investigation and subsequent reconsideration (if applicable), together with a summary of the reasons for the decision. It is this pack, together with the original complaint, and your statement explaining why you remain dissatisfied with the outcome at Stage 2, which will be put to the Stage 3 Panel. The HE Faculty Office will send you a copy of all the paperwork provided to the Complaints Panel, in advance of the Panel meeting. There may be rare occasions on which the paperwork breaches the confidentiality of another student, and on these occasions, that information will be redacted where possible or, if redaction is not possible, exceptionally disclosed to the Panel only (where such disclosure does not put the student at a disadvantage). If a Panel requests additional information during a Panel meeting, the HE Faculty Office will send you a copy of this information with your complaint outcome letter.

The Stage 3 Complaints Review Panel will review the documentation and provide a second opinion for you. No further written evidence will normally be considered at that stage, although if, during its discussion, the Panel considers that there is a need for further material, this may be requested from any of the parties concerned.

Your complaint will normally be considered by the next monthly meeting of a Complaints Review Panel. If there is a delay in your case going to the next available Panel e.g. because of the complexity of the case or we need to request more information from the Faculty, from you or from another third party, you will be kept informed and advised of the anticipated date of consideration of your case.

A Complaint Review Panel will comprise of the Vice Principal Curriculum and Quality, and two further Managers unconnected with the original case or service area concerned.

A Complaint Panel will normally review a complaint on the basis of the documentation only; a hearing will only be arranged if the Panel believes it is necessary. Further information on the operation and outcomes of Complaint Panels can be found as Appendix 1.

8. Referral to the Office of the Independent Adjudicator for Higher Education

The College hopes the above procedure will satisfactorily resolve your problem. Very occasionally this may not be the case; in this instance, you are able to ask the Office of the Independent Adjudicator for Higher Education (OIA) to review your complaint and the way in which it has been handled by the College. You can only refer your complaint to the OIA when you have exhausted the Colleges complaints procedure. At that point, you will be sent a letter by the College confirming that the institution's procedure has concluded; this will contain information on how to contact the OIA.

Further information is available at www.oiahe.org.uk (or by calling 01803 540791).

9. Appendix 1 - Stage 3 Complaints Panels

Preliminaries

A Complaint Panel will consider a formal complaint only after a substantive written response has been provided by the Head of Higher Education and Academic Registrar and the complainant remains dissatisfied. The complainant will write to the Higher Education Faculty Office indicating the nature of their complaint; what remedy or explanation they have sought; why they remain dissatisfied. The Higher Education Faculty Office will contact the Head of Higher Education responsible for investigating the complaint at Stage 2 and request the pack of all the written evidence used in the original investigation and any subsequent reconsideration, together with a summary of the reasons for the decision. The documentation will be considered by the Panel, normally at the next monthly meeting. The HE Faculty Office will normally send you a full copy of all paperwork to be considered by the Panel, in advance of the Panel meeting. There may be rare occasions on which the paperwork breaches the confidentiality of another student, and on these occasions, that information will be redacted where possible or, if redaction is not possible, exceptionally disclosed to the Panel only (where such disclosure does not put the student at a disadvantage). If a Panel requests additional information during a Panel meeting, the HE Faculty Office will send you a copy of this information with your complaint outcome letter.

Where a complaint is against a named member of staff, that individual has a right to provide a written statement in response to the complaint and to have that statement included in the documentation submitted to the Panel.

Constitution of the Panel

A Complaints Board has been formed from staff from the Faculties and services who are experienced in handling complaints. A Complaint Panel will be formed from members of the Board and supplementary nominees, comprising three members of College staff, one of whom will act as chair (normally the Vice Principal), members will not be from the Department or service under complaint. The Panel will be constituted taking into account issues of gender, ethnicity and other equal opportunity considerations where possible. This may require augmentation of the membership of the Panel. The complainant will be advised of the constituency of the Panel and of the documentation to be referred to it.

Workings of the Panel

The Panel will be provided with the relevant documentation collated by the Complaints Office and will meet to consider the complaint. If the complaint deals with complex or specialist matters, access to relevant expertise will be made available.

The Panel may come to conclusions and make recommendations on the basis of the documentation alone: there is no requirement for a hearing to be held.

If, however, after considering the written material the Panel concludes that a face-to-face hearing would provide a better understanding of the issues, this will be arranged by the Higher Education Faculty Office. (See section on "Hearings" below).

Hearings

If a hearing is considered necessary the Higher Education Faculty Office will inform the Head of Higher Education who provided the formal response at Stage 2 that they or their designated deputy will be required to attend the hearing to explain the outcome of their original investigation. The Complainant and Manager will be permitted to arrange for appropriate witnesses to attend the hearing to support the presentation of their case. The Complainant, the Head of Higher Education and any witnesses can be accompanied by a friend or representative. Depending on the requirements for attendance at the hearing the Higher Education Faculty Office will make arrangements for a suitable time and venue for all participants, normally giving ten working days' notice for preparation for the hearing. If having called a hearing the Complainant or witnesses do not attend the Panel can elect to proceed without their presence. The Panel will determine its own procedures at the hearing but this will normally include interviewing the Complainant, the Head of Higher Education and any witnesses. A record of the proceedings of the hearing will be kept by the Higher Education Faculty Office, which will be treated in confidence amongst the participants.

Outcomes

The Complaint Panel will consider its conclusions and recommendations in private. A number of options are available to the Panel, including:

- To endorse the response of the Higher Education Manager.
- To ask the Higher Education Faculty Office to undertake further investigations to assist the Panel in coming to a conclusion.
- To uphold the complaint in whole or in part and make suggestions as to how the situation might be remedied which might include compensation. Compensation may be financial, but must reflect loss (i.e. not punitive damage)

The outcome and the reasons for it will be communicated in writing as soon as possible to the complainant and the Head of Higher Education by the Higher Education Faculty Office.

The complainant will be issued with a "Completion of Procedures" letter by the Higher Education Faculty Office once the Colleges complaints procedure has been exhausted, together with information about the Office of the Independent Adjudicator for Higher Education.

The Head of Higher Education should advise all members of staff involved in the complaint of the outcome, in an appropriate manner, while recognising that the outcome relates to personal data under the Data Protection Act and is therefore subject to the confidentiality provisions of that legislation.

10. Appendix 2 - Formal Complaint Form

South Devon College
Student Complaints Procedure

Formal Complaint Form

When to use this form

If you have raised your complaint informally but remain dissatisfied with the outcome, you can use this form to lodge a formal complaint.

If you have already had a response to a formal complaint and wish your case to be referred to a Complaints Panel, you do not need to fill this form in again: please refer to the Complaints Procedure for advice about what you need to do.

About you

Name (in full):

Registration number:

Course:

Stage:

Faculty:

School:

Are you studying at a partner college? If so, please state which College:

Address at which you can be contacted about your complaint:

Please let us know if your address changes while your complaint is ongoing.

Please indicate any periods when we will be unable to contact you about your complaint:
e.g. holidays:

Telephone number:

Email:

About your complaint

What action have you taken already to try to resolve your complaint?

What response have you received?

What is it about this response that is not satisfactory?

What outcome do you wish your formal complaint to achieve?

Provide any other information about your case that might be important. Please attach the evidence you have to support your case and any documents you are relying on. Continue on a separate sheet if necessary.

Signed:

Date:

Send this form to:

Higher Education Faculty Office
South Devon College
Long Road
Paignton
TQ47EJ

Email: Univeristy@southdevon.ac.uk

REVISION HISTORY

Ver	Date	Author	Description
1.0	May 17	A Wilson	Conception
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