

## **QUALITY ASSURANCE DOCUMENT QA 48 – STUDENT COMPLAINTS PROCEDURE**

### **INTRODUCTION**

1. The Arden University Complaints Procedure sets out the process for which a complaint can be raised by a student, and the procedures for investigating and responding to the complaint.
2. The University is committed to providing all students with a high-quality education and student experience. However, we recognise that there may be instances where students have legitimate concerns or complaints regarding their course, the services or facilities provided by the University. The University takes all complaints seriously and deals with them in confidence and without fear of recrimination or disadvantage.
3. This procedure is designed to ensure that all student complaints are heard and responded to in a manner that is timely, fair, transparent and based on consideration of the relevant evidence. It will safeguard, as far as reasonably possible, the interests and well-being of the student making the complaint and staff of Arden University or an Arden University study centre who may be named or otherwise involved in the complaint.
4. This procedure has been developed in accordance with the Office for the Independent Adjudicator for Higher Education’s ‘Good Practice Framework for Handling Complaints and Academic Appeals’.

### **PRINCIPLES AND SCOPE**

5. Through the Complaints Procedure, Arden University commits to:
  - Treat complaints with the seriousness they require/deserve
  - Respond to the needs of students and provide clear information, advice and support
  - Clearly define a complaint and explain the process in clear and easy to understand language
  - Deal with complaints in a timely manner
  - Ensure that complainants will not be disadvantaged as a result of raising a complaint
  - Handle complaints confidentially and only involves those directly involved in the investigation or those that are required as part of the resolution

- Answer all aspects of a complaint and ensures the response is clear, using the feedback received to improve the student experience
6. A student (or group of students) raising a complaint should:
- Be respectful and courteous in the submission of a complaint
  - Seek a resolution that is reasonable and proportionate
  - Provide a full explanation of their complaint in a timely fashion, with supporting evidence
  - Co-operate with the procedure as far as reasonable to do so
7. This procedure applies to:
- Complaints arising from a student's educational experience, other than disputes relating to assessment and examinations (see below);
  - Complaints in respect of academic and/or administrative support or other services provided by Arden University or at an Arden University study centre;
  - Complaints relating to facilities or learning resources;
  - Complaints regarding alleged harassment by staff of Arden University or an Arden University study centre;
  - Complaints arising from alleged discrimination by staff of Arden University or an Arden University study centre in relation to gender, race, disability, sexual orientation or otherwise.
8. This list is not exhaustive. Complaints falling outside those listed above will be considered and investigated at the discretion of the University.
9. This procedure does not apply to:
- Candidates wishing to appeal against an academic decision; separate procedures exist for such appeals. Candidates should also note that appeals against the academic judgement of examiners cannot be accepted.
  - Disciplinary matters; these will be dealt with in accordance with separate procedures in place within Arden University.
10. Complaints can be raised by existing Undergraduate, Postgraduate or Degree Apprenticeship students, on all modes of study and in all locations. Complaints can also

be raised by students on approved periods of suspension (Leave of Absence) or recent graduates.

11. Where appropriate, groups of students can make a collective complaint. In such circumstances, the group should nominate a spokesperson. Each member of the group should provide their name and STU number and consent to participate in the group complaint. They must also be able to demonstrate that they have been personally affected by the complaint.
12. Separate complaints procedures are in place for applicants.

### DEFINITION OF A COMPLAINT

13. We have adopted the following definition for a student complaint from the Office of the Independent Adjudicator for Higher Education's 'Good Practice Framework for Handling Complaints and Academic Appeals'.
14. A student complaint is defined as:

*'An expression of dissatisfaction by one or more students about a University's action or lack of action, or about the standard of service provided by or on behalf of the University'*

### TIMESCALES

15. Complaints should be raised as soon as reasonably possible. Students who wish to raise a complaint should invoke the Early Resolution at Local Stage (Informal) within one calendar month of the incident.
16. However, where it is clear early resolution is not appropriate or possible, the university will proceed immediately to the formal stage. Students will be directed promptly to the relevant procedure.
17. Students who wish to raise a formal Stage Two complaint should do so within three calendar months of the incident.
18. Students who have recently left the University, either through withdrawal or as a recent graduate, may raise a formal complaint up to three calendar months after their

graduation or withdrawal from the programme and within 3 calendar months of the incident

19. Complaints received outside 6 months of the matters by which the complaint arose will be out of time and not normally considered unless relating to harassment and/or discrimination (where no time limit applies).

### **TIMESCALE FOR COMPLETION**

20. Complaints will be dealt with and responded to within 90 days of receipt maximum, in writing, usually via the Complaint Inbox ([complaints@arden.ac.uk](mailto:complaints@arden.ac.uk)). Complaints can also be raised via the 'Support' page on iLearn, [iLearn Home: Support \(rdi.co.uk\)](http://iLearn Home: Support (rdi.co.uk)) or in writing via email to their local Student Support team. Formal responses are usually provided within twenty days of receipt or escalation.
21. The University reserves the right to make a reasonable extension to this timescale during student break periods, i.e. Summer break.

### **SUSPENSION OR TERMINATION OF A COMPLAINT**

22. If a student's complaint overlaps with another/other University's regulations or policies, advice should be sought from the University Registrar. The progress of any complaint through any stage of this procedure may be suspended for a reasonable period.
23. In exceptional circumstances, Arden University may terminate a complaint at any stage, where the student's behaviour or investigation is deemed unacceptable or disruptive, or where a complaint is deemed to be vexatious or malicious. In such cases, the University may invoke the Student Disciplinary Procedure. Examples of unacceptable or disruptive behaviour include (but are not limited to):
  - Audio/visual recording of meetings without written permission from appropriate staff
  - Threatening, intimidating or aggressive behaviour towards any member of staff connected with the investigation process
  - Any attempt to interfere with the investigation process
  - Sending excessive communication, in any form, to staff involved in the investigation process

- Providing false or manufactured evidence or information as part of the investigation process

### **STAGE ONE: EARLY RESOLUTION AT LOCAL STAGE**

24. Wherever possible, the University would wish to see any complaint resolved as close as possible to its point of origin, and without formality. This would usually involve a student speaking with an appropriate member of staff, such as a Lecturer or a member of their local Student Support team.
25. Complaints at this stage can be raised either face to face, via telephone, in writing, or via email.
26. Details of informal complaints and associated resolutions will be recorded on the Student Feedback Tracker for reporting purposes.
27. If a student is not satisfied with the conclusion of the informal resolution or where informal resolution is not possible or appropriate, s/he should refer to Stage Two: Formal Complaint (point 5 below).

### **STAGE TWO: FORMAL COMPLAINT**

28. A Stage One Complaint will be referred to the Stage Two Formal Complaint stage when initial resolution has been attempted but the student remains dissatisfied.
29. A Stage Two Formal Complaint should be submitted in writing, usually via the Complaints Inbox ([complaints@arden.ac.uk](mailto:complaints@arden.ac.uk)). Stage Two Formal complaints can also be submitted from the complaints form on the 'Support' page on iLearn, iLearn Home: Support ([rdi.co.uk](http://rdi.co.uk)), or in writing, via email, to their local Student Support team.
30. Receipt of Stage Two Formal Complaints will be acknowledged within two working days.
31. The Student Voice Officer will allocate the Stage Two Formal complaint to the appropriate senior staff member responsible for the area in which the complaint relates to. If the complaint relates to more than one department, the Student Voice Officer will consult with the relevant senior staff members to decide who will take a lead on investigation and resolution.

32. During investigation of the complaint, additional information or evidence may be requested from the student. In such cases, the student will be notified in writing and given at least five working days to respond.
33. A response to the complaint will be provided within 20 working days of receipt of the complaint. In some cases, where complaints are complex and require detailed investigation, it may not be possible to meet these timescales. In such cases, the student will be notified in writing of the reason for the delay and a revised timeframe for a response will be provided.
34. If there is a genuine need for a response to be provided in a shorter timescale than this, the student must make this clear, including the reason, at the point of submitting the formal complaint.
35. The outcomes available are as follows:
  - That the complaint be upheld in whole or in part;
  - That the complaint be rejected
36. The student will be issued with a formal response confirming the outcome of the investigation into the student complaint.
37. If the complaint is upheld, the formal response will include details of the action that will be taken to address the complaint.
38. If the student is not satisfied with the outcome, they should refer to Stage Three: Review of Outcome (point 39 below).

### **STAGE THREE: REVIEW OF OUTCOME**

39. If a student is not satisfied with the outcome of the Stage Two investigation of the complaint, they may request a review of the outcome within 10 working days of the written confirmation received following Stage Two: Formal Complaint.
40. A request for review may only be considered on the following grounds:
  - There is evidence of procedural irregularity at Stage Two: Formal Complaint

- There is new material information available which, for valid reasons, was not provided earlier in the process.
  - The outcome/resolution of the Stage Two was unreasonable
41. A Stage Three Complaints Review form should be completed and submitted to [quality@arden.ac.uk](mailto:quality@arden.ac.uk) within ten working days of dispatch of the formal response to the Stage Two: Formal Complaint.
  42. Students should provide full details of the grounds on which the review is being requested and indicate within their correspondence why the outcome of the Stage Two: Formal Complaint was not satisfactory.
  43. The Head of Quality or nominee will acknowledge receipt of the request within five working days of receipt.
  44. The Head of Quality or nominee will undertake an initial evaluation to check that the request has been submitted within the appropriate timescales, meets the criteria and is in the required format with supporting evidence where applicable.
  45. The Head of Quality or nominee will nominate a review panel. This will be senior staff members that were not involved in the original consideration of the complaint to review the concerns raised.
  46. The review panel may request additional information or evidence from the student, in which case the student will be notified in writing and given at least five working days to respond.
  47. The outcomes available are as follows:
    - That the complaint be upheld in whole or in part and a resolution offered;
    - That the complaint be rejected
  48. The student will be notified in writing of the outcome of the review within 20 working days of receipt of the original review request. The decision of Stage 3 Review outcome is final and a Completion of Procedures letter will be issued including details of the students right to appeal to the Office of the Independent Adjudicator for Higher Education (OIAHE)

49. In the event of a complaint being upheld whole or in part, recommendations should be made in respect of remedial action required. A report on the matter and any actions arising will be referred to the next meeting of the Quality and Standards Committee.

## **INDEPENDENT ADJUDICATION**

50. Students who have been issued with a Completion of Procedures letter may complain to the Office for the Independent Adjudicator for Higher Education (OIA) if they remain dissatisfied with the University's final decision, providing the complaint is eligible under the OIAHE's rules of the complaints scheme as detailed on their website <http://www.oiahe.org.uk/>. Complaints must be made within 12 calendar months of the date of the Completion of Procedures letter.
51. Students studying for a Degree Apprenticeship may submit a request to the Education & Skills Funding Agency (ESFA) to review whether the University has handled the complaint in line with its procedures. Complaints about providers should be sent by email to [complaints.ESFA@education.gov.uk](mailto:complaints.ESFA@education.gov.uk) or by post to Complaints team, Education and Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry, CV1 2WT.

## **RECORDING AND MONITORING**

52. Arden University is committed to continuous improvement and constructive handling of complaints to ensure that similar situations do not re-occur. Complaints are monitored to identify trends, areas of good practice and where improvements can be made. This information will also be used to review and continuously improve the Student Complaints Procedure.
53. The Process and Continuous Improvement Manager/Head of Student Success will submit quarterly reports to the Student Experience Committee and Quality and Standards Committee detailing all upheld complaints and actions to be implemented to prevent a reoccurrence of the complaint. Recommendations from this report will be used to enhance the quality of the student experience by informing the future development of the University practices, procedures and activities. Monitoring reports will not contain any personally identifiable information.
54. A summary of actions taken in response to student complaints raised will be made available to staff and students periodically.