



University of Wales
Prifysgol Cymru

University of Wales Student Complaints Procedure

Academic Year 2016/17

STUDENT COMPLAINTS PROCEDURE FOR STUDENTS AT COLLABORATIVE CENTRES AND AFFILIATED OR ACCREDITED INSTITUTIONS IN WALES

DEFINITIONS

For the purposes of this procedure, a complaint is defined as the expression of a specific concern about the provision of a module, a programme of study, supervision of either taught or research degrees, a related academic service, or a related support service. It also includes inappropriate or negligent behaviour of staff likely to cause physical or mental harm to the student. This procedure does not cover complaints against the decisions of examining boards or disputes with persons not employed by or subject to the jurisdiction of the University.

This procedure applies equally to complaints made by individual students and complaints made by groups of students.

EARLY RESOLUTION

Students should attempt to resolve their concerns with their collaborative centre at a local level wherever possible, prior to submitting a formal complaint to the University. The majority of complaints can be resolved simply and swiftly in this manner. Attempts to resolve a complaint at a local level, might include, for example, face to face discussion with a tutor. Collaborative Centres should normally attempt to resolve a student's concerns within 30 days of receiving notification of the concern by the student.

STAGE 1: FORMAL COMPLAINT

If the student is not satisfied with the centre's attempts for early resolution the candidate may make a formal complaint to the University. A complaint can be made by a candidate who is a registered University of Wales candidate, and currently studying for an award, or has completed their studies within 12 months. In order to make a formal complaint, the candidate concerned should submit the attached Complaints Form and any supporting evidence to: the University of Wales Registry, King Edward VII Avenue, Cathays Park, Cardiff, CF10 3NS (ref: Student Complaints). Alternatively, the form can be submitted electronically by e-mailing studentcomplaints@wales.ac.uk, but please be aware that certified copies of documents (e.g. medical certificates) may be requested.

University officers shall confirm receipt of the complaint to the student, normally within 3 working days.

The Officer shall contact the Collaborative Centre concerned and request a response to the complaint, to be received normally within 10 working days. Once the response has been received and the University has all of necessary information, the University's Adjudication Panel, made up of two external members consider the case and a written response shall be formulated, normally within 30 working days of the complaint being received by the University. In the event of an anticipated delay in the above timescales, the student shall be informed by the University.

The outcomes available to the Adjudication Panel are as follows:

- that the complaint be referred back to the Collaborative Centre for further consideration;
- that the complaint be upheld in whole or in part;
- that the complaint be not upheld (and is therefore rejected)
- that the complaint be referred to a full Complaints Board

If the student is satisfied with the outcome, a Completion of Procedures Letter shall be issued at this point to reflect the conclusion of the Stage 1 process. In this instance, the Completion of Procedures letter will indicate that no request had been made by the student for a review of the Stage 1 outcome.

If the complaint outcome should be of a nature that it would have an impact upon the students marks, the outcome from the Adjudication Panel would be reviewed by the examining board. It would be at the discretion of the examining board as to whether the outcome be accepted or rejected.

STAGE 2: REVIEW OF COMPLAINT OUTCOME

If a student is not satisfied with the outcome of the Stage 1 investigation of the complaint, he/she may formally request a review of the outcome within 10 working days of the written judgment being issued by the Registry. Simple notice of a desire to request a review by a student within the above deadline shall not be deemed to constitute a formal request and shall not be accepted. If a request for a review of the outcome is not received by the Registry within this timescale, a Completion of Procedures letter will be issued. In this instance, the Completion of Procedures letter will indicate that no request had been made by the student for a review of the Stage 1 outcome.

The request for review shall be submitted to the University of Wales Registry, King Edward VII Avenue, Cathays Park, Cardiff, CF10 3NS (ref: Student Complaint), or electronically by e-mailing studentcomplaints@wales.ac.uk, and should indicate in writing why the response to the complaint is not satisfactory, and should clearly indicate the grounds for review. A request for review may be made on one or more of the following grounds, but not limited to:

- a review of the procedures followed at the formal stage
- a consideration of whether the outcome was reasonable
- new material evidence which the student was unable, for valid reasons, to provide earlier in the process.

The Deputy Vice-Chancellor or nominee shall review the request to ascertain if the request has been made on permissible grounds and if a clear case has been made. The Deputy Vice-Chancellor or nominee may refuse any request where it is apparent that no clear case to review the complaint has been made.

The review stage will not usually consider the issues afresh or involve a further investigation. A complaint must have been considered at the formal stage before it can be escalated to the review stage.

A review of the complaint will be considered by a Complaints Board. The Complaints Board will be chaired by the Deputy Vice Chancellor or his/her nominee with two External Members (who shall not have had any association with the Collaborative Centre in which the candidate had studied). One or more Officers of the University will attend the Board, one of which will act as Secretary to the Board and shall make the necessary arrangements for the meeting. The Collaborative Centre will also be invited to attend the Board. The meeting may be held via telephone or videoconference if necessary. The candidate may be accompanied, but not be represented, by a member of the academic or welfare or advisory staff of the Collaborative Centre concerned or by a student or officer of the Students' Union at the Collaborative Centre concerned, but not by any other individual.

Any person accompanying the candidate shall be asked by the member of the Board considering the case to identify themselves at the beginning of the meeting. The candidate may not send another person to a hearing in his/her stead. The student should ensure that every effort is made

to attend the Board at the arranged date. Only in exceptional circumstances can a Board be re-scheduled.

A meeting of the Complaints Board will be convened at the earliest opportunity, and normally within 30 working days, following receipt of a written request to review the complaint from the student following the rejection of a complaint outcome. In the event that it takes longer to verify the facts to which the submission refers, this period may be extended.

The decision of the Complaints Board shall be communicated to the complainant in writing, by means of a Completion of Procedures letter, normally within 10 working days of the meeting of the Complaints Board.

The outcomes available are as follows:

- that the complaint be upheld in whole or in part (and a modified outcome and remedy may be offered);
- that the original complaint outcome be upheld.

If the complaint outcome should be of a nature that it would have an impact upon the students marks, the outcome from the Adjudication Panel would be reviewed by the examining board. It would be at the discretion of the examining board as to whether the outcome be accepted or rejected.

The decision of the Complaints Board shall be final, and the matter shall, therefore, be regarded as closed. There shall be no right to request a further review. A Completion of Procedures Letter will also be issued, which will confirm that the internal procedures of the University in relation to the complaint have been completed.

The response, and details of any action to be taken in the light of the complaint review, will be sent by the University to the student and to the Collaborative Centre. In the event of a complaint being upheld in whole or in part, recommendations should be made in respect of remedial action required. A response may be required from the Collaborative Centre concerned, within a set timeframe specified by the University.

A report of the matter will be made by the Secretary to the next meeting of the Academic Board.

INDEPENDENT REVIEW

Pursuant to the Higher Education Act 2004, the Office of the Independent Adjudicator for Higher Education (the OIA) has been designated by the National Assembly for Wales from 1 January 2005 as the operator of an independent scheme in Wales for the review of student complaints.

If the student is dissatisfied with the outcome of the complaint, they may be able to apply to the Office of the Independent Adjudicator for Higher Education (OIA) for review, providing that the complaint taken to the OIA is eligible under its rules.

Only once all relevant University of Wales procedures have been exhausted may a candidate apply to the OIA for a review of the complaint.

Should the student decide to make a complaint to the OIA, the Complaint Form must be received by the OIA within 12 months of the date of receipt of the Completion of Procedures letter from the University.

The OIA's leaflet, *An Introduction to the OIA for Students*, can be downloaded from http://www.oiahe.org.uk/media/34396/oia_intro_leaflet.pdf

Alternatively, a form can be obtained by phoning or writing to the OIA. A copy of the Completion of Procedures letter should be sent to the OIA with the OIA Complaint Form.

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>. A student may also wish to seek advice from the appropriate Students' Union about taking a complaint to the OIA. Please note that the OIA will normally only review issues that have been dealt with through the University's internal procedures.

MONITORING AND EVALUATION

The nature, incidence and outcomes of all appeals and complaints will be regularly monitored and an annual report made to Academic Board in this respect.

