



# Complaints Policy and Procedures

Reviewed by	NSD
Reviewed on	Dec 2019
Approved by	ASQC
Next reviewed by	Dec 2020
Version	V3.5

## Applicability of the Policy

	<i>AAT programmes</i>	<i>Pearson HND programmes</i>		<i>BSU Programmes</i>	
	<i>Students registered on AAT Programmes</i>	<i>Students registered on NCC programmes up to Aug 2019</i>	<i>Students registered on NCC programmes from Sept 2019 or transferred to NCC registration</i>	<i>Students registered on BSU programmes up to Aug 2019</i>	<i>Students registered on BSU programmes from Sept 2019</i>
<b>Complaints at Informal stage at UKCBC</b>	Applicable	Applicable	Applicable	Applicable	Informal
<b>Stage A of UKCBC complaints policy</b>	Applicable	Applicable	Complaints procedures of NCC	Applicable	Complaints procedures of BSU
<b>Stage B of UKCBC Complaints Policy</b>	Applicable	UKCBC Stage B or NCC Complaints Procedures		Complaints procedures of BSU	
<b>Issue of Completion of Procedures letter (CoP)</b>	UKCBC	UKCBC/ NCC as applicable	NCC	BSU	BSU

### Registration of students:

- Students who were registered on UKCBC's registrations with Pearson, before Aug 2019
- Students registered before Aug 2019 admitted on UKCBC's student number control
- Students registered after Aug 2019 are admitted on NCC's registrations with Pearson.
- Students registered after Aug 2019 are on franchised provision with BSU
- AAT students are all admitted and registered by UKCBC.

### Introduction

UKCBC is committed to monitoring and evaluating all its services to enhance quality. Feedback and comments on these services are always welcome. Students are encouraged to provide feedback to college staff and management via the Student Experience Committee and Campus Committee. For concerns or issues that require resolution the Complaints Procedure is the mechanism by which students enrolled with the College and other stakeholders can raise an issue for investigation.

In all cases, complaints received will be considered with the highest level of consideration and with full confidentiality of the complainant and college officers wherever possible.

## Links to QAA Quality Code

This document is designed to ensure confidence in the College's dealings with concerns and complaints and to actively improve all areas of its operation in support of the prime function of this college which is to enable students to progress through their learning and development in a timely fashion. In doing so it takes reference from the Quality Code expectations for standards and expectations for quality core practices:

### *Concerns, Complaints and Appeals – Guiding Principles 1-6*

Additionally, this policy resonates with the "Good Practice Framework" published by the Office of the Independent Adjudicator. Following the guidance of the Good Practice Framework, UKCBC is committed to concluding all formal complaints (stage A and B) within **three months** (90 calendar days) of receipt of a complaint. <https://www.oiahe.org.uk/media/1859/oia-good-practice-framework.pdf>

## Links to other policies

The remainder of this policy will relate to both general and academic complaints. UKCBC recommends that this policy is understood in the context of the wider maintenance of quality and standards, and particularly in relation to the following policies:

- Student Appeals Policy;
- Admissions Appeals Policy;
- Academic Misconduct Policy;
- Admissions Policy;
- Safeguarding Policy.

## Scope and Definition of Complaints

A complaint is defined as an expression of concern or dissatisfaction that requires a response or resolution. This may regard the experience through all the services of the college whether accessed by a member of the public, employers, prospective students, current student or alumni. A complaint can be presented to the college in writing. There are 3 stages of the complaints procedure:

- Informal: Early resolution with college staff,
- Formal – stage A: written submission to be reviewed by **Head of Administration or an authorised representative** (Reviewer is independent of the operational area of the complaint subject)
- Review/Formal – stage B: written submission to be reviewed by **Director of HE/Director of Quality, Enhancement & Development or an authorised representative** (Reviewer is independent of the operational area of the complaint subject) only where students are registered as UKCBC students.

Complaints from the stakeholders will be considered informally utilising the 3 stages outlined above, however there is no final recourse of review for these cases by the Office of the Independent Adjudicator for Higher Education (OIA).

Complaints received anonymously will only be considered in very exceptional circumstances under the guidance of the Director of HE and the Director of Quality, Enhancement and Development. Complaints concerning assessment decisions will be dealt with the Student Appeals Policy. Complaints concerning admissions decisions will be dealt with the Admissions Appeals policy.

In all cases, complaints will be considered in a fair, consistent and timely manner. No student or stakeholder will be disadvantaged by raising a complaint in good faith, in line with the Student Charter and Student Code of Conduct.

All complaints will be dealt with by staff members not involved in the daily operation of the subject of complaint to mitigate against perceived bias and any potential conflicts of interest. Where this is not possible due to operational constraints, and with the student's agreement, other staff members will be co-opted for the purpose of the investigation.

Current students may submit a complaint within 3 months of the incident to which the complaint relates. Complaints raised by a graduate student may be received up to 6 months following cessation of student enrolment, subject to the related incident occurring when the student was enrolled at UKCBC.

### **Process of Complaints Investigation**

All students are encouraged to raise concerns through the informal early resolution route in the first instance if possible. This can be directly with a member of staff or using the college uSupport system. This can be accessed through the eLearning platform and is monitored by members of staff to ensure comments, concerns or complaints are responded to within the relevant department.

However, if this is not possible, students must utilise the formal process commencing at stage A. If the outcome of an informal level resolution or investigation remains unsatisfactory to the complainant, they may raise the concern to the next level within the process.

A student may not raise a complaint directly to stage B unless the complaint subject relates to the Director of Studies or Head of Administration and supported by relevant evidence.

#### **Informal: Early Resolution (APPLICABLE FOR ALL STUDENTS)**

- Concern/complaint is shared with staff directly involved as early as possible (“**Day Zero**”)
- The member of staff reviews concern **within 5 working days** of **Day Zero**. This review may include an Academic Manager or Campus Manager for clarification. Further discussion with the complainant may be held within this period.
- A decision relating to actions to address the complaint is agreed between the complainant and the college officer **within 10 working days** of Day Zero.

- Outline of complaint and resolution provided to the Director of Quality, Enhancement and Development (or Nominee) for annual monitoring (without complainant details) **within 20 working days** of Day Zero.

#### **Formal – Stage A**

**(Applicable to all students Registered before Sept 2019 and all students on AAT programmes – Student registered post Sept 19 should take up the formal complaints procedure of BSU or NCC as applicable)**

- Concern/complaint is submitted to the Director of Studies for Pearson provision or Academic Director for BSU programmes on any academic issues or the Head of Administration for all non-academic issues using UKCBC Complaints Form A – “**Day Zero -A**”
- Complainant receives a written acknowledgement of receipt **within 3 working days** of **Day Zero -A**
- Complaint is reviewed by the Director of Studies or Academic Director/ Head of Administration (Stage A Chair), (or Nominee), **within 10 working days** of **Day Zero-A**
- The Stage A Chair will convene a panel of at least 3 members – Chair plus 2 additional colleagues to assist in the investigation
- The investigation panel will invite the complainant and other parties to make representation as part of the investigation process.
- Complainant will be kept informed of the progress of the investigation **every 10 working days**.
- Students will be permitted to be accompanied by a student representative or a member of staff of student’s choice if appropriate.
- Where possible the investigation will be concluded **within 20 working days** of **Day Zero A**
- At the conclusion of the investigation the Stage A Chair will inform the complainant of the outcome and any action in writing. Additionally, the complainant will be informed that if not completely satisfied, they may raise the issue utilising the Review/Formal Stage B process if they are registered with UKCBC or with respective partner Institution (NCC or BSU as applicable).
- Details of the complaint, investigation and action will be recorded in the Complaints Log for annual monitoring.

**Review/Formal – Stage B (Applicable to all students registered with UKCBC prior to Sept 19 with an option to either follow UKCBC stage B process or take up the complaint through NCC. BSU students will take up the complaint with BSU as per its Complaints procedures.**

The stage B process applies to the students registered by UKCBC. Students registered on partnership provision by the NCC or BSU should initiate the formal complaints procedures of the respective Institutions in compliance with their policies.

- A review of a concern/complaint request is submitted to the Director of Quality, Enhancement and Development (academic issues) / Director of HE (non-academic issues) using UKCBC Complaints Form B – “**Day Zero-B**”.
- Complainant receives a written acknowledgement of receipt **within 3 working days of Day Zero-B**
- Review of Complaint request is reviewed by Director of Quality, Enhancement and Development/ Director of HE (Review/Formal Stage B Chair), (or Nominee), **within 10 working days of Day Zero-B**
- The Review/Formal Stage B Chair will convene a panel of at least 3 members – Chair plus 2 additional members to assist in the investigation. All members of the panel must have no previous involvement in the concern/complaint to ensure impartiality.
- The Investigation panel will invite the complainant and other parties to make representation as part of the investigation process.
- Students will be permitted to be accompanied by a student representative or a member of staff of student’s choice if appropriate.
- Complainant will be kept informed of the progress of the investigation **every 10 working days.**
- Where possible the investigation will be concluded within **40 working days of Day Zero-B**
- At the conclusion of the investigation, the Review/Formal Stage B Chair will inform the complainant of the outcome and any action in writing. Additionally, the complainant will be informed that if not completely satisfied, they may raise the issue with the OIA.
- The complainant may request a **Completion of Procedures (CoP)** letter after completion of the Stage B process, if they still wish to pursue the complaint with Office of the Independent Adjudicator (OIA). The letter will note that the internal procedures have been fully exhausted by the student. The College and its partners New City College and Bath Spa University subscribe to the OFS to comply with the regulatory/statutory requirements.

- In case of students registered with the partner Institutions BSU or NCC, their CoP letter will be issued by the respective Institutions once the student exhausted their internal processes.
- Details of complaints, investigation and action taken will be recorded in the Complaints Log for annual monitoring by CMC.

### **General Points regarding the Complaints Process - complaints by Group of Students**

Where a group of students are making a formal complaint, UKCBC will discuss how best to resolve the concern and proceed with the process. At times it may be more convenient to liaise with a single student on behalf of the group. Such complaints will also be processed through the Stage A and Stage B of complaints procedures.

If a student is unsure about the complaints process, it may help to discuss the issue with someone confidentially and independently. The Student Representatives may be familiar with the individual experience and suggest ways to deal with the concern or support an individual through the process. Furthermore, a student may receive support and assistance by being represented by a (Lead) Student Rep during the process and at investigation meetings.

Where a complaint is presented which is found to be malicious or vexatious, the college reserves the right to take action against the individual under the Student Disciplinary procedure. Vexatious activity may include continuous or regular false or inaccurate communications to damage the reputation of an individual or institution, or complaints without evidence of support.

### **Complaints against the College to (i) Pearson (ii) New City College or (iii) Bath Spa University (As applicable in the context of the student).**

- a. Students enrolled under NCC/BSU Partnerships are advised that they can make a complaint to NCC/BSU, if they are not satisfied with the outcomes of both Informal Stage and Formal Stage A of UKCBC Complaints Policy. Such complaints are received and processed as per the Complaints Procedures of NCC / Pearson/BSU.
- b. Students studying HND with UKCBC (**registered directly with UKCBC**): may write to Pearson at <https://qualifications.pearson.com/en/contact-us/students.html> at the conclusion of the process, if they remain unsatisfied with the outcome.
- c. **Students studying HND through the NCC Partnership** may write to [complaints@ncclondon.ac.uk](mailto:complaints@ncclondon.ac.uk) following the outcome of the Formal Stage A. When contacting NCC students should comment that the complaint has previously been submitted through the UKCBC complaints process and they are not satisfied with the outcome and submit all correspondence regarding the complaint. New City College will make a final decision on the outcome of the complaint made to UKCBC.
- d. **Students registered on degree programmes of Bath Spa University** may write to [complaintsofficer@bathspa.ac.uk](mailto:complaintsofficer@bathspa.ac.uk) following the outcome of the Formal Stage A where complaints relate to academic or assessment concerns. Bath Spa University will make

a final decision on the outcomes of the academic or assessment complaints made to UKCBC.

### **Escalation of complaints to the Office for Independent Adjudicator**

If at the conclusion of the UKCBC (and its partners) Student Complaints process, the student remains unsatisfied with the outcomes or the process, they have the right to direct the appeal to the Office of the Independent Adjudicator (OIA). Details can be found at <http://www.oiahe.org.uk/making-a-complaint-to-the-oia/guidance-for-students.aspx>

A Completion of Procedures (CoP) letter will be issued to the complainant by final institution only on completion of all the eligible stages and processes as explained in this document. Details regarding making contact with OIA will be presented to the complainant with the CoP letter

### **Complaints Annual Review**

All complaints. This is formally reviewed each semester resulting in a review by the Academic Standards and Quality Committee for academic related complaints and the Operations Management Committee for college infrastructure or non-academic student experience complaints. These reports are annually collated and evaluated by the College Management Committee leading to the ratification of enhancements that mitigate against activity or situations that have triggered complaints.

Complaints relating to Bath Spa University registered students are shared with the University through the link tutor for internal records.

Complaints relating to New City College registered students are shared and discussed with partner senior management team.

# Principles

## A good complaints process

### Accessibility

- Is open to anyone who is or was recently a registered student.†
- Is easy to navigate for students.
- Gives students clear information about how to access advice and support.
- Allows students to appoint a representative.
- Is responsive to the needs of individuals.

### Clarity

- Is well signposted so that students know which process to follow.
- Is easy to understand and gives clear information about time limits.
- Includes clear definitions of what constitutes a complaint.
- Includes effective record keeping.

### Proportionality

- Is flexible where a student raises issues which fall under more than one process.
- Expects all parties to act reasonably and fairly towards each other, and to treat the processes themselves with respect.
- Allows for the complaint to be resolved informally and as early as possible, including by mediation or conciliation where possible and appropriate.
- Consists of three stages:
  - Early resolution at the local level
  - Formal stage
  - Review stage.

### Timeliness

- Includes time limits within which students are normally expected to submit complaints.
- Allows for the identification of complaints which require particularly swift action.
- Will normally be completed within 90 calendar days of the start of the formal stage.

### Fairness

- Ensures that decision-making staff are properly trained, resourced and supported, and able to approach each decision afresh.
- Allows each party an equal opportunity to present their case.
- Requires clear reasons to be given for decisions reached.
- Ensures that students are not disadvantaged as a result of bringing a complaint.

### Independence

- Ensures that decisions are taken by people without actual or perceived conflicts of interest at all stages of the process.

### Confidentiality

- Ensures an appropriate level of confidentiality without disadvantage.

### Improving the student experience

- Captures learning to ensure that:
  - Decisions are made consistently.
  - Decisions are made at the appropriate level.
  - Appropriate action is taken on issues identified.
  - Information gathered is used to improve services for students and the student experience.