

Policy/procedure title	Higher Education Student Complaints Policy		
Review Cycle *Please specify	1 Year	Responsible Department	Quality
Procedure Owner *overall responsibility	Head of Learning Improvement		
Responsible Person (if different to above) *responsibility for communicating changes and staff training where appropriate	Quality Coordinator		
Types of provision this procedure applies to:	Higher Education		
Revision Record			
Rev. No.	Date of Issue	Details and purpose of Revision:	
1	16/01/2024	New Policy to include OU compliance feedback	

Equality Impact Assessment

Whenever a policy is reviewed or changed, it's impact assessment also must be updated. The Equality Act 2010 seeks to simplify discrimination law and introduced statutory duties to promote equality whereby The College of West Anglia must, in the exercise of its functions, pay due regard to the need to promote equality in relation to the protected characteristics.

Could any staff or students be adversely impacted by this policy/process? If yes give details and how this will be mitigated: No

Date	Action and Monitoring:
16/01/2024	No Actions

E, D & I Statement

This procedure has been reviewed in line with the Equality Act 2010 which recognises the following categories of individual as Protected Characteristics: Age, Gender Reassignment., Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender), Sexual Orientation and Disability. We will continue to monitor this procedure to ensure that it allows equal access and does not discriminate against any individual or group of people.

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1 Introduction

At University Centre West Anglia, we define a complaint as a specific concern regarding an aspect of our course provision or an academic or support service that affects your learning experience. This includes a failure to meet our obligations or provide accurate information, our provision of the service and the quality of our resources.

1.1 Student Complaints Procedure limitations:

1.1.1 If your complaint concerns assessment or examination regulations of a course run in partnership with Anglia Ruskin University; then the Academic Appeals Procedure for Anglia Ruskin University (ARU) should be used. There is information on the Academic Appeals Procedure for ARU here: [ARU Academic Appeals Procedure](#). Sometimes we need to use both the appeals and the complaints procedure. This is because an issue may include a complaint and an appeal. If this happens, we will tell you the procedure used for different parts of your case.

1.1.2 Students on Open University Collaborative Provision programs are required to follow this procedure, relating to your experience at this institution in addition to the relevant OU policies, as outlined in your Conditions of Registration. If you have a complaint relating to the academic or support service at the college, you should use this procedure. If your complaint relates to an experience at the Open University, such as with the Virtual Learning Environment, Student Support, Careers or Library Service, you should use the Open University [Complaints and Appeals Procedure](#). You should also use the Open University procedure if you have an academic appeal against assignment, marking or module outcomes. If you need any help or advice, please contact the college Student Services in the first instance.

1.1.3 If your complaint concerns another student; you need to refer to the [Student Charter and Code of Behaviour](#).

2 The Student Complaints Procedure applies to registered students and not to applicants. There is a separate complaints procedure operating for all other issues.

As you are a student at University College West Anglia, you will follow a validated programme of study. You must exhaust our complaints process first. At the conclusion of our investigation we will provide you with a Completion of Procedures letter which points out the next steps you could possibly take.

Any complaint must be lodged by 31st August following the award of the qualification.

If you are unsure which procedure to use, or you require advice about the complaints procedure, the UCWA Student Advisors (highereducation@cwa.ac.uk) or the Quality Co-ordinator within the Quality Department (quality@cwa.ac.uk) will help you, and can also signpost you to further support.

2.1 Our approach to addressing complaints

If the issue is regarding your course, talk to your Course Director or Programme Manager to see if it can be resolved prior to making a stage 1 complaint, if it is about one of our services, talk either to the person providing the service or the person's line manager or supervisor. The UCWA Student Advisors (highereducation@cwa.ac.uk) can help you identify the right person to talk to.

If you wish to go ahead with a stage 1 informal complaint then we will respond to your complaint and set out our reasons for our decision. If we uphold your complaint, we will tell you how we intend to address your complaint.

We see you as a partner in reaching a resolution to your complaint. We consider the early resolution of complaints as vital. We will expect you to assist us in seeking a resolution to your complaint.

You might feel you need some help, if so then you can ask the UCWA Student Advisor (highereducation@cwa.ac.uk)

You will suffer no disadvantage if you make a complaint. Therefore, it should be unnecessary to make an anonymous complaint. Raising a concern anonymously will almost certainly result in no action being taken by the College, it would certainly impede the investigation and communication of the outcome.

2.1.1 Group Complaint

Our Complaints Procedure allows an individual or a group to make a complaint. If you are one of several students with the same complaint, you may make a 'group complaint'. To help manage the complaint, we may ask your group to nominate a representative. When we address a group complaint, we ensure this collective complaint fairly represents the views of the entire group. We follow the same process as an individual complaint. This includes using early resolution.

2.1.2 Time frames

It is difficult to address complaints after a lapse of time. Therefore, we have timescales within the procedures. These time limits allow sufficient time for early resolution. We can agree with you changes to the timescales. This may be necessary if there are difficulties in accessing information or in engaging in discussions.

2.2 Use of Informal Resolution (Stage 1)

You need to complain within **20 working days** of becoming aware of an issue. If you are a student in your final year of study, you must have raised your complaint by the date of the UCWA graduation event (complaints received outside of this deadline will be considered at the college's discretion). The reason is so that we can seek an early resolution of your issue. We aim to complete this Informal Resolution within **15 working days** of you raising the issue. The member of staff will write to you if it is not possible to reach an early resolution. The member of staff will explain why an early resolution is not possible.

For most complaints, it is possible to reach an early resolution within the Stage 1 (Informal Resolution) phase. Usually we can resolve a complaint quickly at the first level of contact.

We see Informal Resolution (Stage 1) as a vital part of our procedures. If you make a formal complaint at Stage 2, we will look at whether you sought Informal Resolution. If there was

no attempt at Informal Resolution, we may recommend this as a potential solution as a starting point.

There may be times when it is not appropriate to use Informal Resolution. You can make a Stage 2 formal complaint if this is the case.

2.2.1 What you should do if you have a complaint.

You may decide you need some help with the complaint, the UCWA Student Advisor can help. To make an informal complaint, you should use the on-line form available on the UCWA website to make your complaint [Higher Education Making an Informal Complaint Stage 1](#)

- Make your complaint as soon as possible and within a maximum of **20 working days** from being aware of the issue.
- Your complaint will be acknowledged by the quality coordinator, who will allocate your complaint to a member of staff to investigate. All communications will be kept in accordance with our data protections policies.
- A member of staff will contact you to discuss your complaint and what you would like done to resolve the complaint. This can be done in person, by email or telephone.
- You will receive a resolution of Informal complaint letter explaining the outcome of the complaint and the next steps **within 15 working days**. If you are unhappy with the outcome of an Informal Resolution (Stage 1), you can make a formal complaint. You need to do this within **20 working days** of the date of the response.

2.3 Making a Formal Complaint (Stage 2)

If we cannot address your complaint to your satisfaction through Informal Resolution (Stage 1), you can make a formal complaint.

You can only move the complaint to Stage 2 once you have exhausted Stage 1 and received a written confirmation of the outcomes of the informal investigation from University College West

Anglia. You need to make the formal complaint within **20 working days** of the receipt of the informal resolution letter. We can extend the time to 40 working days if you can give a good reason for not making the complaint within 20 working days.

There may be times when it is not appropriate to use Informal Resolution, if you are unsure a UCWA Student Advisor can help you.

2.3.1 How to make a formal complaint.

- You need to submit a request for a Formal (Stage 2) Investigation within **20 working days** of the date of the response following Informal Resolution by contacting the Quality coordinator quality@cwa.ac.uk . You will be sent a Stage 2 Formal Complaint request form to complete (included as appendix 1 for reference only). You can ask the UCWA Student Advisor to help you to complete the form.
- Your complaint will be acknowledged within **five working days** of receipt of the form, and you will be informed as to who has been assigned as the Investigating Officer (usually a member of the College Leadership Team that was not involved in the informal stage 1 process)
- You may be invited to attend a Facilitation / Mediation Meeting with the Investigating Officer and, should a member of staff be involved within the complaint, with that person as well. Normally the Investigating Officer will write to you within **five working days** to confirm the outcome and the next steps.
- You may be invited to attend a meeting with the Investigating Officer in order for them to gain a deeper understanding of the case. If such a meeting is called, then you are entitled to be accompanied by one other person. The name of the person must be provided to the Investigating Officer not less than **five days** before the meeting
- If the investigator upholds your complaint, the relevant curriculum area or department will produce an action plan. This will set out how the area / department will address your complaint. You will be informed in writing how you can proceed to the next stage if you remain dissatisfied with the outcome. You need to do this within **20 working days** of the date of the response.
- If the investigator does not uphold your complaint, there will be a written explanation of the reason. This letter or email will explain how you can ask for a review of the decision, grounds for doing so, and outline associated timelines. You will be told how you can proceed to the next stage if you remain dissatisfied with

the outcome. You need to do this within **20 working days** of the date of the response.

2.4 Requesting a Review Stage 3

If we cannot resolve your complaint at the formal stage (Stage 2), you can ask for a review of our decisions. You make the request by completing Stage 3, the Review complaint form.

2.4.1 What to do if you wish to ask for a review of your complaint

Complete the Review complaint form, available from the Quality Co-ordinator (quality@cwa.ac.uk) You need to send it to the Quality Co-ordinator within **20 working days** of the date of the final response from the Investigating Officer.

You may decide you need some help. You can seek help from the UCWA Student Advisors to complete the form. The grounds for which a student may appeal against a Stage 2 decision are:

- Procedural irregularity
- New evidence
- Outcome not effectively communicated
- Unreasonable decision

- The form goes to a senior member of staff, who has previously not been involved in the investigation, normally a member of the Senior Management Team. The senior member of staff acts as reviewer of your complaint. The Quality Co-ordinator provides support for the reviewer.
- The Principal will judge as to whether your complaint will be investigated or considered further. This decision will be based on the evidence you provide on the form.
- Following the review of your complaint, the reviewer will write to you with the decision within **20 working days** of receiving the form. If this is not possible, the reviewer will write to you to tell you the revised date and explain the delay.
- If the reviewer upholds your complaint, the relevant department will undertake action to mitigate the problem. If the review concerned a dispute over the original action plan, the department will produce a revised action plan. This will set out how the faculty / department will address your complaint. The faculty / department will agree the action

plan with you within **10 working days** of the reviewer informing you of the outcome. Outside term time, the department will send you the action plan within **15 working days**. The faculty / department will seek agreement with you to the plan. If the faculty / department cannot agree an action plan with you, you can tell the reviewer. The reviewer will act as reconciler between you and the faculty / department. If reconciliation is not possible, the reviewer will tell you in writing that you can complain to the Office of the Independent Adjudicator for Higher Education (OIA).

- If the reviewer does not uphold your complaint, there will be a written explanation of the reason. The reviewer will issue a Completion of Procedures (CoP) letter and tell you in writing that you can complain to the Office of the Independent Adjudicator for Higher Education (OIA)

3 Completion of Procedures Letter

If you remain unhappy with our decision, you can complain to the Office of the Independent Adjudicator for Higher Education (OIA). The OIA is an independent body that reviews student complaints. There is no charge to a student complaining to the OIA.

Within **25 working days** of the end of the review, we will send you a Completion of Procedures Letter. We will explain in the letter how you can complain to the OIA. You need to complain to the OIA within **12 months** of the date of our letter.

You can find out about the OIA on their website: www.oiahe.org.uk . The OIA decides if your complaint is eligible under their rules.

Appendix 1 – Stage 2 Formal Complaint Request Form

Guidance on completing this form

If you are an HE student at The College of West Anglia and you wish to make a complaint to the College under Stage 2 of the Higher Education Complaints Policy then we encourage you first to discuss this with a member of staff under Stage 1: Informal Resolution (see 2.2)

There are two ways in which you may be referred to Stage 2 of the Complaints Procedure:

1. You have attempted a resolution under the informal stage but are dissatisfied with the outcome
2. You have attempted a resolution under the informal stage but a staff member has referred you directly to the formal stage of the procedure due to the nature or complexity of your concerns

Any Stage 2 request submitted without discussion with staff at the College will likely be referred back to Stage 1 in the first instance to attempt an informal resolution. Once you have been referred to Stage 2 of the procedures by a staff member, you will have 20 working days in which to submit your form in order for your complaint to be considered. Should you submit a request for investigation after 20 working days then the Investigating Officer will exercise their own discretion on whether or not to conduct an investigation.

You should address your request for a formal complaint request form to the Quality Coordinator either by email (quality@cwa.ac.uk) or by post (Quality Coordinator, The College of West Anglia, Tennyson Avenue, King's Lynn, Norfolk, PE30 2QW).

This form will help you to structure your request. Please also attach any additional evidence you would like to be considered during the investigation. This might include emails, witness statements, professional/expert opinion

If you are unsure which procedure to use, or you require advice about the complaints procedure, the UCWA Student Advisors (highereducation@cwa.ac.uk) or the Quality Coordinator within the Quality Department will help you.

Student's name:

Student Number:

Term time address:

Telephone number:

Email address:

Have you attempted to resolve your complaint under Stage 1 of the College Procedure 'Higher Education Student Complaints' Policy?

- Yes
 No

Were you referred to Stage 2 without an attempt at informal resolution?

- Yes
 No

Member of staff previously involved during Stage 1: the informal stage:

Initial concern raised with: _____

Your initial complaint

Provide details as to what happened under Stage 1 of the College Procedure 'Complaints Regarding Higher Education'

If a resolution was offered under Stage 1, why was this unsatisfactory?

What is the desired outcome of any formal investigation?

Additional Information: *Please list any evidence which you have submitted along with this form in order to support your complaint:*

As part of the investigation of your complaint, any members of staff mentioned, for example, the course team, will be made aware of the complaint, as will relevant senior College staff. Your information will be stored in line with our [Special Category Data Appropriate Policy](#).

Declaration

I declare that the information given in this form is true, and that I am willing to answer further questions relating to it if necessary.

Signed:

Date:

Appendix 2 – Stage 3 Requesting a Review

Guidance on completing this form

If you are an HE student at The College of West Anglia and you wish to have the outcome of your stage 2 formal complaint reviewed then you should address your request for review to the Quality Coordinator either by email (quality@cwa.ac.uk) or by post (Quality Coordinator, The College of West Anglia, Tennyson Avenue, King's Lynn, Norfolk, PE30 2QW).

This form will help you to structure your request. Please also attach any additional evidence you would like to be considered during the investigation.

If you are unsure about how to appeal, or you require advice about the complaints procedure, the UCWA Student Advisors (highereducation@cwa.ac.uk) or the Quality Co-ordinator within the Quality Department will help you.

There are 4 possible grounds for appeal / review – Please select one or all that apply:

- Procedural irregularity
- New evidence
- Outcome not effectively communicated
- Unreasonable decision

Full name:

Student number:

Telephone number:

Email address:

Investigating Officer for Stage 2:

The date that the decision of Stage 2 was communicated to you:

Brief outline of your Complaint

Outcome of stage 2 investigation:

Please provide details as to the grounds on which you are requesting a review

What is your desired outcome?

Additional Evidence: *Please list any additional evidence attached to this form which was not considered during the investigation and outline the reason why this was not considered:*

Signed:

Date:

Please return this form:

By email to Quality Coordinator quality@cwa.ac.uk

Or by post to

Quality Coordinator
The College of West Anglia
Tennyson Avenue
King's Lynn
PE30 4GJ

Your information will be stored in line with our [Special Category Data Appropriate Policy](#).