



University College
of Osteopathy

Complaints Policy & Procedures For UCO Students

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Complaints Policy & Procedures for UCO Students					
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Equality Impact					
Positive equality impact (i.e. the policy/procedure/guideline significantly reduces inequalities)					
Neutral equality impact (i.e. no significant effect)					X
Negative equality impact (i.e. increasing inequalities)					

If you have any feedback or suggestions for enhancing this policy, please email your comments to: quality@uco.ac.uk

COMPLAINTS POLICY & PROCEDURES FOR UCO STUDENTS

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1. SCOPE

- 1.1 This policy outlines the procedures that should be followed should a student make a complaint about any service provided by the University College of Osteopathy (UCO).

2. SECTION A: INFORMATION FOR STUDENTS

- 2.1 A complaint is defined as the expression of a specific concern about the provision of an academic or related service by the UCO. The procedures set out below can be used by students to complain about any service the UCO provides.
- 2.2 The UCO aims to deal openly, fairly and effectively with any comment or complaint about services, and to offer an appropriate remedy to any student who is adversely affected by a service which fails to deliver to the UCO's standards.
- 2.3 The complaints policy should not be used to appeal against decisions made by Examination Boards. These should be dealt with through the Academic Appeals Policy. Where your complaint is material to an academic outcome, as specified in the Academic Appeals Policy, it may only be dealt with through that policy.
- 2.4 The UCO will not penalise you for making a complaint about services, and nothing will appear on your academic record to indicate that a complaint has been made.
- 2.5 Both the Students' Union (SU) and Student Support Services (Head of Student Services or equivalent) are able to provide advice on submitting a complaint. In all cases students are strongly encouraged to seek impartial advice concerning their complaint.
- 2.6 You should make every possible effort to resolve your complaint within the relevant department, area of study or unit. The formal procedure can of necessity take some time and should be used only if the stages above have been exhausted.
- 2.7 There are separate procedures for the following:
- a) dealing with academic concerns and offences (Academic Discipline Policy and Procedures);
 - b) dealing with disciplinary offences including complaints by students about the behaviour of other students (Student Code of Conduct and Disciplinary Policy, Student Fitness to Practise and Behaviour Policy);
 - c) informing the UCO of special circumstances in relation to assessments (Special Circumstances Process);
 - d) appealing against the decisions of Examination Boards (Academic Appeals Policy).

- e) making disclosures in the public interest, i.e. 'whistle blowing' (please see the Public Interest Disclosure (Whistleblowing) Policy).
- 2.8 The complaints procedures cannot be used for any of the above purposes, although in exceptional circumstances an academic appeal may follow a successful complaint.
- 2.9 The UCO does not normally deal with anonymous complaints, although it will consider the circumstances of any such anonymous submission and may, in exceptional circumstances, take forward the complaint.
- 2.10 If you have a particularly sensitive issue to raise, you can approach the Students' Union or Student Support Services (Head of Student Services or equivalent) for help. The UCO will endeavour to make sure that such a complaint is known to the fewest staff needed to undertake a thorough investigation, and that staff deal with the complaint on a confidential basis.
- 2.11 A group of students affected by the same set of circumstances may wish to make a collective complaint through a single spokesperson. In such circumstances the spokesperson must at all times express the views of the group and relay and copy all correspondence to the group. Each member of the group must provide their names and contact details in the initial submission.
- 2.12 It is important that any complaint is timely. The longer the delay, the less likely it is that the UCO will be able to investigate your complaint properly.
- 2.13 A complaint that leads you to request reconsideration of an Examination Board decision, and which falls within one of the categories defined within the Academic Appeals Policy, is an Academic Appeal and not a complaint.
- 2.14 In conducting the procedures to investigate complaints, the UCO may invite you to meet staff. At all such meetings, you will be permitted to be accompanied by a friend: for example, an officer of the UCO Students' Union, a fellow student, or a member of academic staff. The UCO must be notified of the name and affiliation of the person concerned in advance of the meeting.
- 2.15 It is not normally necessary to be accompanied by a legally qualified person, but if you do decide to seek approval to be accompanied by such a person, the UCO reserves the right to include a legally qualified colleague to participate in the meeting.
- 2.16 The accompanying person will not be permitted to present your case, but will be in attendance to support you and to clarify issues as appropriate.
- 2.17 The UCO constantly seeks to improve its services. The Academic Council monitors the complaints received, and the effectiveness of these procedures in addressing them.
- 2.18 If your complaint is not based on the grounds specified in this Policy or accompanied by appropriate supporting evidence, the UCO will inform you that no action will be taken. You will receive a Completion of Procedures Letter and

you may, if you so wish, pursue the matter further with the Office of the Independent Adjudicator for Higher Education (<http://www.oiahe.org.uk/>).

A) KEY CONTACTS

UCO Students' Union

Course Leaders

ICT Director

Finance Director

Head of Estates

Registrar

Student Support Manager

Head of Student Services

3. SECTION B: THE STUDENT COMPLAINTS POLICY AND PROCEDURE

A) INTRODUCTION

- 3.1 The UCO is committed to maintaining an effective procedure to allow all members of its community to make legitimate complaints. This document provides details of the UCO's complaints procedure for students who wish to make a complaint.
- 3.2 A complaint is defined as any specific concern about the provision of a programme of study or related academic or support service and may be made by a student or a group of students.
- 3.3 The UCO strongly encourages the informal resolution of complaints at the earliest opportunity, and before this formal procedure is required.
- 3.4 Complaints may relate to (though not be limited to):
- a) the teaching and learning experience of the student, e.g. quality of teaching, teaching facilities, personal tutor support
 - b) academic services, e.g. computing and library services
 - c) administrative services, e.g. Registry, Finance etc.
- 3.5 The Student Complaints Procedure excludes certain specific complaints where the UCO has separate policies to deal with these. This includes complaints concerning disciplinary matters (which should be dealt with under the Code of Conduct and Disciplinary Procedure or Student Fitness to Practise and Behaviour Policy) and matters of public interest which should be dealt with under the Public Interest Disclosure (Whistleblowing) Policy.

- 3.6 An Academic Appeal is defined as a request for a review of a decision of an academic body charged with making decisions on student progression, assessment and awards. Academic Appeals should be dealt with under the Academic Appeals Policy.
- 3.7 Complaints from individuals who are dissatisfied in their dealing with the UCO Students' Union (SU) will normally be dealt with under the SU's own Complaints Procedure.
- 3.8 In certain circumstances, it will be necessary for the Registrar to determine whether a complaint should proceed through the UCO's student complaints procedure or through an alternative process.
- 3.9 In all instances where a student is unsure as to how or where to raise their complaint they should seek advice from the SU and/or Student Support Services (Head of Student Services or equivalent) or the Registrar.
- 3.10 The UCO will not consider unsubstantiated complaints that it regards as vexatious or malicious. Complaints of this nature may result in disciplinary action under the Code of Conduct and Disciplinary Procedure.
- 3.11 A complaint by a student will not normally be investigated if a period of three months has elapsed since the alleged action which is the basis of the complaint occurred, although the Registrar may exceptionally allow such a complaint to proceed.
- 3.12 Where complaints are received anonymously or from third parties, it will be at the discretion of the Registrar, in consultation with the Deputy Vice-Chancellor (Education), to determine whether the complaint will be considered and, if so, how.
- 3.13 The UCO recognises that remedies available in respect of complaints might include compensation and/or a change in UCO practices and procedures, and may lead to disciplinary action.
- 3.14 The UCO will also be prepared to meet expenses reasonably incurred by a successful complainant, subject to its prior approval of specifications of the nature of the expenses claim and the maximum sum involved.
- 3.15 Authoritative guidance on the application and operation of this procedure may be sought from the office of the Registrar.

B) UNDERLYING PRINCIPLES

- 3.16 The Student Complaints Procedure has been established with the aim, where possible, of resolving complaints informally through negotiation between those individuals who are immediately concerned with the matter and, where appropriate, their immediate line management. The UCO recognises, however, that some issues cannot be resolved by informal means and may require the intervention of outside parties. The formal stages of the Student Complaints Procedure (Stages 2 and 3) are therefore available to students should informal pursuit of a complaint prove unsatisfactory.

- 3.17 The underlying principles of the UCO Student Complaints Procedures, which should be respected by all those involved in the procedure, are that:
- a) complaints will be treated seriously, fairly, as expeditiously as possible and in a consistent fashion;
 - b) complaints will be treated in a rigorous and fair manner with sensitivity and with minimum stress to all parties concerned;
 - c) confidentiality will be respected throughout;
 - d) submission of a complaint will not lead to recrimination or adversely affect academic progression provided it is made in good faith and not maliciously or vexatiously;
 - e) there is a right for any decision to be referred the Office of the Independent Adjudicator (OIA);
 - f) the use of the Student Complaints Procedure does not affect a student's right to pursue legal remedies outside the UCO.

C) COMPLAINTS AGAINST STAFF

- 3.18 Any investigation that is conducted under the formal stages of the Student Complaints Procedures, and where an allegation against a member of staff is involved, must be conducted in accordance with principles that ensure a balance between the interests of the complainant and those of the member of staff involved. These principles include the expectation that there will be:
- a) an assumption of no fault until the balance of evidence from the investigation demonstrates otherwise;
 - b) respect for the dignity of the individuals involved;
 - c) the right of the member of staff to be told of the complaint and to know of the evidence presented by the complainant;
 - d) the right of the member of staff to respond to the complaint and the evidence and to be accompanied by a colleague staff member in any investigatory meetings or at any stage of the Student Complaints Procedure;
 - e) the right of the member of staff to know the outcome; and
 - f) the right of the member of staff to have confidentiality preserved where there is any consequential action involving them.
- 3.19 Where a complaint involving an allegation of misconduct by a member of staff is upheld this may form the basis of further action under the Staff Disciplinary Procedure.
- 3.20 Whilst the complainant has the right to be told of the outcome of the complaint and any compensatory decisions taken, the complainant has no right to be informed of action taken under the Staff Disciplinary Procedure.

D) STAFF INVOLVEMENT IN INVESTIGATION AND AS WITNESSES

- 3.21 It is the expectation of the UCO that members of UCO staff will support the operation of this Procedure. It follows therefore that staff members who are called as witnesses to appear before the Student Complaints Review Panel, or who are involved at any stage in the investigative process, are required to co-operate fully with the process whether called on behalf of the UCO or by the person making the complaint.
- 3.22 In exceptional circumstances a staff member may request permission to be excluded from an investigation or not to be required to appear as a witness before the Student Complaints Review Panel.
- 3.23 Where it is the view of the responsible officer at Stage 3 that the evidence that can be provided by the staff member is more important to the resolution of the complaint than the objections of the staff member, then the staff member will be required to participate in this process. Failure to do so may constitute a disciplinary offence.

E) COMPLAINTS PROCEDURE

- 3.24 The Complaints Procedure contains the following stages:
- a) Stage 1 Informal discussion of the complaint with the individual(s) directly involved
 - b) Stage 2 Formal investigation by the Deputy Vice-Chancellor (Education)
 - c) Stage 3 Review by the Student Complaints Review Panel
- 3.25 At any point prior to the completion of Stage 3 review, a request for mediation made by a complainant can be instigated. Mediation will only occur with the agreement of all parties involved, and the formal complaints procedure will be suspended while mediation takes place.

4. SECTION C: THE COMPLAINTS PROCESS

A) STAGE 1: INFORMAL DISCUSSIONS

- 4.1 The UCO expects students to seek to resolve their complaint informally at Stage 1 prior to making a formal complaint and that most complaints should be satisfactorily resolved at that level.
- 4.2 Therefore, in the first instance the complainant should normally seek to discuss their complaint with the person to whom the complaint relates or who is responsible for the matter that gives rise to the complaint.
- 4.3 In order to ensure that the complaint is raised at a mutually convenient time the complainant should try to arrange an appointment with the member of staff concerned. The complainant should make clear, when arranging the appointment, the matter that they wish to discuss and the nature of the complaint that they wish to raise. The member of staff may request the presence

of a colleague and the complainant themselves may also be accompanied by a fellow student or a representative of the UCO Students' Union.

- 4.4 It may be possible for the circumstances of the complaint to be fully addressed and resolved through a meeting between the parties concerned, or further enquiries may be required. In either circumstance the staff member should keep a written record of the meeting and/or of any further enquiries and an oral response will be provided to the student within ten working days of the complaint being raised, except where good reason can be demonstrated for requiring a longer period.
- 4.5 The student will be informed if their complaint is upheld and if any remedy is proposed or, if the complaint is not upheld, the student will also be informed of his/her right to proceed to Stage 2 of the Procedure.
- 4.6 A record of the circumstances of the complaint will be retained by the Registrar or passed to the Registrar in the case of a complaint against a Service. This record will indicate either any corrective or compensatory action to be taken as a form of redress or the reason for the decision to reject the complaint. This record will be destroyed when the student graduates or otherwise ceases to be a student of the UCO.
- 4.7 Faculties/Services will keep basic details of all complaints resolved at this level, including details of the complainant, the nature of the complaint and the outcome.
- 4.8 A student may proceed to Stage 2 of the Procedure where it is not possible to achieve a timely or satisfactory resolution using Stage 1 of the Procedure.

B) STAGE 2: FORMAL INVESTIGATION OF WRITTEN COMPLAINT

- 4.9 At Stage 2 the intention of this procedure is to allow for the complaint to be resolved to the satisfaction of all parties through the intervention of the Deputy Vice-Chancellor (Education) and formal investigation.
- 4.10 A complaint will proceed to Stage 2 where:
 - a) the complaint directly involves a Head of Service, Course Leader or a member of the Vice-Chancellor's Group. (In such cases, the student will write directly to the Vice Chancellor who will nominate appropriate officers to be responsible for Stages 2 and 3 of this process, and no Stage 1 process will be required.)
 - b) a student is not satisfied with the outcome of Stage 1, or where a student can provide good reason why Stage 1 cannot be conducted, the student will raise the complaint in writing with the Deputy Vice-Chancellor (Education).
- 4.11 The request made to the Deputy Vice-Chancellor (Education) must be made on the Formal Complaint Form (see appendix 1 below) and must include:
 - a) name of complainant(s)

- b) a contact address (and preferably telephone and/or mobile number and email address)
 - c) course
 - d) the date(s) on which the problem arose
 - e) whether anyone else was affected, or saw what happened
 - f) any relevant documentary evidence
 - g) the response requested from the UCO
- 4.12 The statement should also describe the steps he/she has taken to resolve the complaint informally or their reasons for not doing so.
- 4.13 On receipt of the written complaint the Deputy Vice-Chancellor (Education) will determine whether it is appropriate for the complaint to be considered under the Student Complaints Procedure and whether the nature of the complaint warrants its consideration under other procedures. He/she will inform the student of their decision within ten working days of receipt of the complaint.
- 4.14 Where the Deputy Vice-Chancellor (Education) finds that the complaint is appropriate for processing at Stage 2 of this procedure, she/he will request the relevant Unit Leader or the Service Manager or a specified alternate (where the Unit Leader or the Service Manager is not appropriate/available) to investigate the complaint in accordance with the guidelines laid out in Appendix 2. The person investigating must have had no prior direct involvement in the matter.
- 4.15 The Unit Leader or Service Manager or alternate will investigate the case by making such enquiries as he/she thinks fit.
- 4.16 As part of the investigative process, the or Service Manager may need to conduct a meeting with the complainant, in which case a note of the meeting will be taken and the student will have the right to be accompanied by a friend: for example, an officer of the UCO Students' Union, a fellow student, or a member of academic staff.
- 4.17 Following investigation of the complaint the Unit Leader or Service Manager will provide a written response to the Deputy Vice-Chancellor (Education).
- 4.18 The Deputy Vice-Chancellor (Education) will respond to the student, and that response will be copied to the appropriate member(s) of staff concerned or responsible for the matter giving rise to the complaint.
- 4.19 This response will normally be provided within twenty working days of the complaint being lodged with the Deputy Vice-Chancellor (Education), except where good reason can be demonstrated for requiring a longer period, in which case the student will be notified of the delay and of an expected response date.
- 4.20 The response will indicate whether the complaint has been upheld and will, where appropriate, identify any action to be taken as a consequence, or the reason for the decision to reject the complaint. It will also notify the student of

his/her right to proceed to Stage 3 of this procedure, where the complaint has not been upheld.

- 4.21 Where a complaint is not upheld, the complainant will receive a Completion of Procedures Letter and may pursue the matter further with the Office of the Independent Adjudicator for Higher Education.
- 4.22 The Deputy Vice-Chancellor (Education) will forward copies of the complaint and response including details of any corrective or compensatory action to the Registrar.

C) STAGE 3: REVIEW BY THE STUDENT COMPLAINTS REVIEW PANEL

- 4.23 Students will be entitled to seek a review by the Student Complaints Review Committee of the decision concerning their complaint, only where:
- a) There is evidence that Stage 2 investigation did not include in its deliberations all relevant issues, and any relevant issues identified as not included at Stage 2 are material to the decision and do not constitute a new basis for complaint;
 - b) There is evidence that the Stage 2 investigation was not carried out in accordance with UCO policies.
- 4.24 This will be initiated by submitting a copy of the Formal Complaint Form to the Registrar, normally within ten working days of having received the outcome of the investigation of the complaint at Stage 2 of this procedure.
- 4.25 The Formal Complaint Form will be accompanied by the Supplementary Sheet 1 (Appendix 1a) giving details of what action has been taken to resolve the complaint at previous stages and why the student remains dissatisfied.
- 4.26 The Registrar will record and acknowledge the request for a review by the Student Complaints Review Panel, normally within ten working days of receipt, and will inform the Vice-Chancellor of the complaint.
- 4.27 The Vice-Chancellor will nominate a Chair to convene a meeting of the Student Complaints Review Panel.

5. THE PANEL

- 5.1 The Panel will comprise three members of the Vice-Chancellor's Group not involved in prior stages of this procedure, one of whom will be nominated by the Vice-Chancellor to act as Chair.
- 5.2 A Clerk to the Panel will be nominated by the Registrar.

6. CONDUCT OF PROCEEDINGS

A) REPRESENTATION

- 6.1 All students and staff members who are required to attend the meeting of the Student Complaints Review Panel will have the right to be accompanied by another individual as specified in this policy.

B) DOCUMENTATION

- 6.2 The documentation submitted to the Student Complaint Review Panel will normally consist of:
- a) the Formal Complaint Form accompanied by supplementary paper 1 submitted by the complainant;
 - b) details of witnesses to be called by both the complainant and the officer responsible for the investigation of the complaint at Stage 2 together with a brief statement giving the purpose of the attendance of the witnesses;
 - c) any other background documentation.
- 6.3 All documentation will require to be submitted by the complainant to the Clerk of the Panel not less than seven working days before the meeting of the Panel.
- 6.4 Papers will be circulated to Panel members, the complainant, and where appropriate the individuals against whom the complaint is being made, not less than five working days before the meeting of the Panel.
- 6.5 Following the hearing all documentation must be returned to the Clerk of the Panel to be destroyed and a single master set of documentation will be retained by the Registrar under safe and secure conditions.
- 6.6 It is the responsibility of the complainant to ensure that any witnesses whom they wish to call in support of their complaint are available for the meeting of the Panel and are briefed on the arrangements for the Panel.
- 6.7 It is the responsibility of the Registrar, through the Deputy Vice-Chancellor (Education), to ensure that those witnesses whom the UCO wishes to call in support of its decision on the complaint are available for the meeting of the Panel and are briefed on the arrangements for the Panel.
- 6.8 The Student Complaints Policy and Procedure sets out the expectations of the UCO in respect of staff participation in the complaints process.

C) FORMAL HEARING MEETING

- 6.9 Non-attendance by either party will normally result in the hearing continuing in their absence and therefore being based only on the documentation previously submitted.
- 6.10 The proceedings of the Committee are at the discretion of the Chair but will normally be as follows:
- a) The Chair will open the proceedings by establishing that all parties have received full documentation.

- b) The Chair will also have the opportunity to raise any questions of clarification in respect of the documents submitted.
 - c) Where details of witnesses have been provided by either party the Chair will have the discretion to decide not to hear any of the evidence to be provided by the witnesses, but will be required to give all parties details of the reasons for such a decision.
 - d) The complainant will be invited to outline the complaint briefly, making reference to previously submitted documentation, in support of their complaint. The complainant will also have the opportunity to call the witnesses that the/she has previously notified to the Committee to provide evidence in support of his/her complaint.
 - e) Any new evidence that has not been presented at previous stages of the Complaints Procedure may only be accepted at the discretion of the Chair.
 - f) The officer of the UCO responsible for Stage 2 of the Complaints Procedure will have the opportunity to question the complainant and the witnesses called by the complainant.
 - g) The officer who conducted Stage 2 of the Procedure will then have an opportunity to state their reasons for having found against the complainant at Stage 2, making reference to previously submitted documentation. The officer will also have the opportunity to call witnesses whose details have previously been submitted, and the complainant will have an opportunity to question these witnesses.
 - h) Both parties will be provided with an opportunity to sum up their aspects of the case and at all points members of the Panel may choose to ask questions of any of the parties in order to seek clarification on points raised.
 - i) At the conclusion of the Hearing, the Panel will meet in private in order to make its decision. The decision will be notified in writing to all concerned by the Registrar, normally within five working days.
- 6.11 The decision of the Student Complaints Review Panel will be final and will bring the UCO's investigation of student complaints to a close, and the complainant will receive a Completion of Procedures letter along with the Panel's response.
- 6.12 If the student remains dissatisfied with The UCO's response, they have the right to refer the UCO's decision to the Office of the Independent Adjudicator. Details are available at: <http://www.oiahe.org.uk/>.

7. SECTION D: ADDITIONAL NOTES

A) HOW TO MAKE A COMMENT OR SUGGESTION ABOUT A SERVICE

- 7.1 If you want to comment or make a suggestion about improving one of the UCO's services, you can do so using a form on BONE. Suggestions will be considered

carefully, and the UCO will provide general information on the website about the action being taken in response to the comments and ideas received.

- 7.2 If you have a general comment relating to a course, you may like to raise it directly with the specific Staff and Student Liaison Committee concerned through your course representative. The Students' Union can also take up an academic issue on your behalf.

B) COMPENSATION

- 7.3 Where compensation has been claimed by the student, the Deputy Vice-Chancellor (Education) may make a recommendation to the Vice-Chancellor on the matter. The Vice-Chancellor's decision will be notified to the student in a separate letter.

C) MONITORING AND REVIEW OF THIS POLICY AND PROCEDURE

- 7.4 The Deputy Vice-Chancellor (Education) will be responsible for preparing an annual report to the Academic Council covering the operation of this procedure.
- 7.5 The Registrar will be responsible for monitoring the implementation of remedies agreed under this procedure.

D) ACADEMIC APPEALS

- 7.6 Where the circumstances of a complaint are found to have impacted adversely on the academic performance of a student, in line with the specifications of the UCO's Academic Appeals Policy, a summary of the findings and their impact will be passed by the Registrar to the Chair of the Examination Board who will take Chair's action in lieu of Stage 2 of the academic appeals process.

APPENDIX 1: STAGE 2 FORMAL COMPLAINT FORM

Note: This form is only to be used once attempts to resolve the complaint under Stage 1 of the Student Complaints Procedure have been exhausted.

Name:	
Contact Address:	
Telephone Number:	
Course of Study:	
Please explain your complaint fully:	
Please explain how you have attempted to resolve your complaint so far and why you remain dissatisfied:	
Please explain what you would like to happen to resolve your complaint:	

Please continue on another sheet of paper if there is insufficient room on this form for you to explain any of the above details.

I agree that information about my complaint may be gathered from within the UCO by members of staff in the UCO as directed by the office of the Deputy Vice-Chancellor (Education).

Experience has demonstrated that in order to investigate complaints properly, and to balance fairness with the rights of the person about whom the complaint is made, disclosure is

needed, and accordingly I agree that my name and other necessary information about the complaint may be disclosed in order to investigate it.

I also understand and accept that the outcome of formal complaints must be recorded for the purposes of monitoring and analysing complaints generally, and for reporting to Academic Council for monitoring and evaluation in terms of quality assurance as the UCO is required to under the section of the QAA Code of Practice on Appeals and Complaints.

Signature Date

For Administration Purposes:

Date Received..... Acknowledgement Sent.....

APPENDIX 2: STAGE 3 SUPPLEMENTARY PAPER 1

Note: This form should be submitted to the Registrar along with a copy of the original Formal Complaint Form to provide additional information for consideration of a complaint at Stage 3.

Has this complaint already been considered at Stage 2?	YES / NO
If NO please provide details as to why the complaint has not been considered at Stage 2 together with a completed Formal Complaint Form.	
If YES please indicate why you are not satisfied with the response to your complaint at Stage 2 (please refer to the criteria specified for Stage 3 complaints).	