

University College Birmingham Student Complaints Procedure

Introduction

The Complaints Procedure is available to all students enrolled at University College Birmingham (UCB). This document will use “student” to refer to all further education, Sixth Form, undergraduate, taught postgraduate and Block students (for example, Hong Kong Block students) and apprentices who are enrolled and registered at UCB.

In the unlikely event you have a problem or are unhappy with the service you receive from UCB, there are a number of ways we can address your concerns. If you believe that you have grounds for an appeal against an assessment, please refer to the Assessment Appeals Procedure as follows:

<https://www.ucb.ac.uk/media/kpgi1043/assessment-appeals-procedure.pdf>

For other complaints of a service-related nature then this Student Complaints Procedure is the most appropriate way to resolve your concern. These may include:

- a non-academic service provided by the University;
- the administration or delivery of a programme;
- the facilities or learning resources provided by the University;
- failure to meet obligations set out in the programme or student handbook;
- failure to follow published regulations, procedures and/or policies.

For more information about the best way to make a complaint or appeal and which procedure may be more appropriate, you may refer to the Academic Registry, Student Services or the Guild of Students for advice. A key principle is to identify what you are seeking as an outcome to your complaint.

The definition of a complaint for the purposes of this Student Complaints Procedure is:

‘An expression of dissatisfaction by one or more students about the University’s action or lack of action, or about the standard of service provided by or on behalf of the University (Office of the Independent Adjudicator (OIA)).’

The Student Complaints Procedure is available to all students enrolled at UCB and also applies for up to three months after you have left UCB. For Apprentices, Further Education and Sixth Form students, the end date will be when the award or qualification is confirmed by the awarding body. For Higher Education students, the end date will be the final Examination Board meeting or the withdrawal date.

For Apprentices, complaints about their employment need to go through the employer’s complaint procedure. For complaints linked to an apprentice’s time at UCB, they can follow UCB’s Complaint Procedures.

Complaints against decisions of the Admissions Office in the offering or refusal of places on programmes may be made using the ‘Admissions Complaints Procedure.’ [Link](#)

UCB will meet the requirements to uphold Higher Education (Freedom of Speech) Act 2023

Confidentiality

UCB has a duty of care to protect the rights of all persons in terms of individual grievances, in accordance with the Data Protection Act (2018) and the General Data Protection Regulation (GDPR). In terms of complaint management, the right to confidentiality is paramount for fair and expeditious resolution. Therefore, it is the responsibility of all parties to ensure that a complaint of grievance (made or intended) is not publicised to other parties outside of the formal complaints process.

Making the grievance public, by any party associated with the grievance, may be seen as harassment, victimisation or bullying, and may be deemed as discriminatory, which could lead to disciplinary procedures. This right of protection applies to all persons associated with UCB, including the Board of Governors, staff, students, users of UCB services and facilities, placement providers, visitors and those contracted to work at or for UCB.

'It is expected that students, their representatives and staff members should act reasonably and fairly towards each other, treat the process and themselves with respect and that the University has a responsibility to protect its staff against unacceptable behaviour (OIA)'.

Stage One: Early Resolution Process

In the first instance, you should raise any problem with a member of staff. For FE and HE students and apprentices, speak to your Senior Lecturer, Head of Department or Executive Dean. Sixth Form students can speak to their Tutor or Head of Year. Problems can often be sorted out quickly at this stage by the people who know you and are familiar with your situation. UCB expects its staff to deal thoughtfully and empathetically with your concern, as the majority can be resolved successfully at this stage, minimising the extent to which referrals are made to the formal process. You may contact the Academic Registry, Student Services or an employee of the Guild of Students for advice in making a complaint.

Stage Two: Formal Student Complaints Procedure

Students may appoint a companion from within the UCB student community to support, advise and jointly represent them during any stage of the formal complaint procedure, if necessary. This companion may be an employee of the Guild of Students or a fellow student; their identity and role must be made known throughout any formal stage of the complaints process.

Put your complaint in writing using the UCB Student Complaint Form (which may be found on the UCB website in the 'About Us', 'Policies and Procedures', Student Administration and Support' section) and forward this to the Student Complaints email address studentcomplaints@ucb.ac.uk. You must include your name, address, ID number and contact details, full details of the unresolved issue, details of how you have tried to resolve the issue informally and your expectations for the outcome. You should, at this point, also include all supporting evidence and information. It is important that you write the complaint yourself, unless it is not possible to do so.

The Deputy Dean of Quality Assurance and Enhancement (QAE) (or nominee) will acknowledge your complaint and may make arrangements to discuss the issue with you

(and your companion, if nominated). If you have not submitted supporting information at this stage, and the Deputy Dean QAE (or nominee) requests the disclosure of existing evidence, you will have 10 working days to submit all evidence supporting your complaint.

The Deputy Dean QAE (or nominee) will decide if the complaint can be referred to an appropriate manager. If no appropriate manager can be identified, the Deputy Dean QAE (or nominee) will investigate the complaint.

You will receive a response to your complaint within a reasonable period. This will explain the findings of the investigation and any action to be taken if needed. If it is found that the complaint is not justified, you will be given an explanation for this decision.

Stage Three: Appealing the Outcome

If you are not satisfied with the outcome of either Stage One or Stage Two of this process, you may request a review of the decision within 10 working days of receiving the outcome.

You must submit a written explanation to one of the following senior managers:

- For HE students, contact the Pro-Vice-Chancellor (Teaching, Learning and Digital);
- For FE students, contact the FE Principal;
- For Sixth Form students, contact the Sixth Form Principal.

If you submit new evidence at this stage, you must explain why this was not made available previously.

The Senior Manager will acknowledge your request for review and investigate to ensure the appropriate processes were followed and that the decision was reasonable. If new material is found to be available, for example, that was not, for valid reasons, disclosed previously, the Senior Manager may continue the investigation into the complaint. The Senior Manager will provide a written response within a further 10 working days.

If the outcome of Stage Three is that your complaint is not justified, you will be issued a Completion of Procedures (COP) Letter, which will confirm that you have now exhausted UCB's formal Student Complaints Procedure. Read this letter carefully as it will provide full details of the outcome and subsequent stages in this process, if relevant.

Should you choose to, you still have recourse for an independent review of your complaint by applying to the Office of the Independent Adjudicator (OIA) within their stated time limit. Information about this stage will be provided within your COP letter. All students registered at UCB have the right to contact the OIA. Before reviewing your case, the OIA will first ensure the student has exhausted all UCB's complaints procedures. For advice and information concerning the OIA, please contact the Academic Registry, an employee of the Guild of Students or at the OIA website: www.oiahe.org.uk

For HE students, on receipt of the Completion of Procedures letter and if your programme of study is a University of Birmingham (UoB) degree, you may then also refer your complaint to the relevant UoB office. Go to <https://intranet.birmingham.ac.uk/as/registry/policy/complaint-appeal/index.aspx> for advice on which forms to complete. If your programme of study is a University of Warwick award, you may refer your complaint to the University's Student Complaints and Academic Casework Team via email to complaints@warwick.ac.uk.

False, Frivolous, Malicious or Vexatious complaints.

UCB will terminate consideration of a complaint if it considers it frivolous or vexatious. If it becomes apparent that the complaint may fall within this category at any stage of the process, it will be referred to and discussed at management level. The decision may be taken to reject or terminate the complaint. The student will be notified of the reasons for the decision.

Examples of such complaints may include:

1. Purposely withholding a complaint and accumulating a grievance which is then submitted and claimed at a point in the future. This prevents UCB from investigating and providing a resolution at the appropriate time, making investigating a (historic) complaint more difficult. Ideally, complaints should not be deferred and then used to the complainant's unfair advantage at a later date. However, if circumstances prevented you from making the complaint earlier, explain this. In all such cases, your complaint will be reviewed. Students are expected to submit all relevant and available evidence supporting a complaint at the time of the complaint (or within 10 working days). Evidence should not knowingly be withheld from the investigation to influence the outcome unfairly.

2. Complaints which demand unrealistic and inappropriate redress or outcomes. For example, the outcome of a complaint cannot change the degree classification of a student.
3. Complaints which are designed to cause disruption and/or annoyance.
4. Insistence on pursuing a complaint in an unreasonable manner.
5. Complaints which do not uphold the Higher Education (Freedom of Speech) Act 2023.
6. Complaints which are submitted anonymously will not normally be considered because they may impede the investigation and communication of the outcome.
7. Complaints outside the remit of UCB.

Note: the making of false, frivolous, malicious or vexatious complaints, appeals or allegations, including defamation, may lead to disciplinary action taken under the Code of Practice on Discipline against the complainant (refer to the General Student Regulations, Section C).

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