

University College Birmingham Student Complaints Procedure

Introduction

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.

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; if you believe you have grounds for an appeal against an assessment then refer to the Assessment Appeals Procedure.

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 (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 Higher Education students the date of leaving will be the date of the meeting of the final Examination Board of the final Academic Session.

Complaints against decisions of the Admissions Office in the offering or refusal of places on programmes may be made using the 'Admissions Complaints Procedure.'

Early Resolution Process

In the first instance, you should discuss any problem with your tutor, Head of Department or Executive Dean. Problems can often be sorted out quickly at this stage by the people who know you and are familiar with your situation. It is the expectation of UCB that its staff will deal thoughtfully and sympathetically with your problem so that the majority of student concerns are 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 the Guild of Students for help and advice in making a complaint.

Confidentiality

UCB has a duty of care to protect the rights of all persons in terms of individual grievances. 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)'.

Formal Student Complaints Procedure

Stage One

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 Assistant Dean, Academic Quality Enhancement in HE. You must include your name, address, ID number and contact details, full details of the unresolved issue, details of the ways 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.

Students may appoint a representative from within the UCB student community to support, advise and jointly represent them during any stage of the formal complaint procedure. This representative may be a Guild Officer or a fellow student; their identity and role must be made known to the Assistant Dean, Academic Quality Enhancement in HE.

The Assistant Dean, Academic Quality Enhancement in HE will acknowledge your complaint and may make arrangements to discuss the issue with you (and your representative if nominated). If you have not submitted supporting information at this stage and the Assistant Dean, Academic Quality Enhancement in HE requests the disclosure of existing evidence, you will have 10 working days to submit all evidence in support of your complaint.

The Assistant Dean, Academic Quality Enhancement in HE will decide if the complaint can be referred to an appropriate manager. If no appropriate manager can be identified, the Assistant Dean, Academic Quality Enhancement in HE will investigate the complaint.

You will receive a response to your complaint within a further 10 working days. 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 of the reasons for this decision.

Stage Two (Review)

If you are not satisfied with the outcome of the stage one consideration of your complaint you may request a review of the decision within 10 working days of receiving the outcome. You must submit a written explanation to the Pro-Vice-Chancellor (HE Curriculum and FE Principal) of why you are dissatisfied with the outcome of Stage One of the procedure. If you submit new evidence at this stage you must explain why this was not made available for the Stage One consideration.

The Pro-Vice-Chancellor (HE Curriculum and FE Principal) will acknowledge your request for review and will 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 at stage one, the Pro-Vice-Chancellor (HE Curriculum and FE Principal) may continue the investigation into the complaint. The Pro-Vice-Chancellor (HE Curriculum and FE Principal) will provide a written response within a further 10 working days.

If the outcome of Stage Two is that your complaint is not justified, you will be issued with a Completion of Procedures Letter which confirms that you have now exhausted the UCB Formal Student Complaints Procedure.

Once you have been issued with a Completion of Procedures Letter, and if your programme of study is a University of Warwick degree award, you may refer your complaint to the University's Student Complaints and Academic Casework Team via email to complaints@warwick.ac.uk. They will consider your complaint and the completed process and advise you on any next steps.

If your programme of study is a University of Birmingham (UoB) degree award you may refer your complaint to the relevant UoB office. Go to - <https://intranet.birmingham.ac.uk/as/registry/policy/complaint-appeal/complaints/index.aspx#contacts> for advice on which forms to complete.

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. You may obtain advice and information concerning the OIA from the Academic Registry, the Guild of Students or at the OIA website: www.oiahe.org.uk

False, Frivolous, Malicious or Vexatious complaints.

UCB will terminate consideration of a complaint if it considers it to be 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

and 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:

- i. Purposely withholding a complaint and accumulating grievance which is then submitted and claimed at a point in the future. This prevents UCB from investigating and providing resolution at the appropriate time and makes investigation of a (historic) complaint more difficult. Complaints should not be deferred and then used to the complainant's unfair advantage at a later date.
- ii. Students are expected to submit all relevant and available evidence in support of a complaint at the time of the complaint (or within 10 working days). Evidence should not knowingly be withheld from the investigation with a view to using this to support review to the next stage or to use as a means of trying to unfairly influence the outcome.
- iii. Complaints which demand unrealistic and inappropriate redress or outcomes. For example, the outcome of a complaint cannot change the degree classification of a student.
- iv. Complaints which are designed to cause disruption and/or annoyance.
- v. Insistence on pursuing a complaint in an unreasonable manner.

Note, that the making of false, frivolous, malicious or vexatious complaints, appeals or allegations including defamation, may lead to disciplinary action being taken under the Code of Practice on Discipline against the complainant.

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