University of Central Lancashire
UCLan

Student Complaints Procedure

Effective September 2024 - Present

Student Regulations and Policies

uclan.ac.uk/studentcontract

Purpose of Policy	This policy sets out the process for students to complain about any programme of study or related facility or any other service provided by or on behalf of the University. The Complaints Procedure can be used to appeal all decisions made by the University (once the rights of appeal under the relevant policy have been exhausted) save as where those decisions come within the categories excluded within the policy.
Internal services involved	Academic Registry
Related UCLan regulations, policies and procedures	
Enquiries to	Student Casework Manager StudentCasework@uclan.ac.uk
Senior Managers responsible	Deputy Registrar
VCG Lead	Pro Vice Chancellor (Students and Teaching)

Version	Approved	Effective from	Revisions made	Next Review
1	May 2023	September 2023		May 2024
2	May 2024	September 2024	Periodic updating	May 2026

Making a complaint

Introduction

At the University of Central Lancashire (UCLan), we are committed to providing a high quality learning experience for all our students and apprentices. Our aim is to provide a supportive environment with superlative academic, welfare and recreational services, and to be responsive whenever concerns are raised.

We welcome feedback to help develop and enhance the quality of our services and improve the student experience. There are many local routes where issues can be raised and addressed, including through your Course Representative or School President, Student Feedback Forums and Reviews, using the student voice platform (Unitu), Module Evaluation Questionnaires (MEQs) and other Student Surveys. You are encouraged to familiarise yourself with these routes and to make full use of them.

We do recognise, however, that there may be occasions when you have cause for complaint about your course or other services provided by UCLan. When this happens, the Student Complaints Procedure is intended to provide an accessible, fair and straightforward system which ensures an effective and timely response, whilst supporting the interests and wellbeing of all students and staff involved.

This Procedure has been designed in accordance with the Good Practice Framework for Handling Complaints and Academic Appeals published by the Office of the Independent Adjudicator for Higher Education (OIA), and other sector guidance published by the Quality Assurance Agency (QAA), the Office for Students (OfS) and Universities UK (UUK).

The **Student Charter** sets out expectations for all members of our community and is intended to help our students to succeed and sieze every opportunity to flourish. Before submitting a complaint, you are encouraged to consult the Student Charter to be clear about what you can expect and what your responsibilities are.

The University aims to handle complaints in a way that:

- encourages informal conciliation and facilitates early resolution
- ensures a full and fair investigation
- addresses all the points at issue and provides an effective response and an appropriate remedy
- provides a prompt resolution within established timescales
- initiates positive actions to continuously improve services and the student experience.

I hope that you will have a positive and rewarding experience at UCLan. If, however, concerns are brought to our attention, you can be assured that they will be treated seriously and fairly, and that every effort will be made to ensure a satisfactory resolution.

Professor Graham Baldwin
Vice-Chancellor

1. What is a complaint?

1.1 A complaint is defined as an expression of dissatisfaction by one or more students about something UCLan has done or not done, or about the standard of service provided by or on behalf of UCLan, and where your student experience has been affected.

2. Scope of the Procedure

Separate procedures

2.1 This Procedure will not be used for the following matters, where separate procedures exist:

a. Academic Appeals - contact the Student Casework Team (email: StudentAppeals@uclan.ac.uk)

b. Complaints about the Students' Union - contact the Students' Union (email: suinformation@uclan.ac.uk)

c. Staff Grievances - contact the People Team (email: PeopleTeam@uclan.ac.uk)

d. Public Interest Disclosure - refer to the University Public Interest Disclosure Policy

e. Freedom of Information or Data Protection - contact the UCLan Information Governance Officer (email: DPFOIA@uclan.ac.uk)

f. Use of CCTV Equipment - contact the University Security Manager (email: Security@uclan.ac.uk)

g. Complaints about the admissions process - contact the Admissions Office (email: Admissions@uclan.ac.uk)

h. Complaints about research ethics - contact the University Research Governance Officer (email: ethicsinfo@uclan.ac.uk)

i. Safeguarding issues which relate to children, young people or adults at risk – contact the UCLan Safeguarding Officer, see: Safeguarding - UCLan

j. Concerns about the process or outcome of the Student Disciplinary, Fitness to Practise or Support to Study Procedures will normally be dealt with under the relevant appeals procedure – contact the Student Casework Team (email: StudentCasework@uclan.ac.uk)

k. Complainants who are not current or former students and who wish to raise a complaint about a UCLan service, should contact the relevant Dean of School or Director of Service for a response

l. Reports about the behaviour of another student will be dealt with under the **Student Disciplinary Procedure** or the **Fitness to Practise Procedure** if the student is on a professionally regulated course - contact the Student Casework Team (email: StudentCasework@uclan.ac.uk)

m. Complaints made by employers in relation to degree apprenticeship programmes will be dealt with via the Employers Complaints Policy.

Complaints about personal behaviours

2.2 If your complaint relates to personal behaviours, including harassment, sexual misconduct or domestic abuse, you should consult the **Procedure for Reporting and Responding to Incidents of Harassment, Sexual Misconduct and Domestic Abuse**. In these sensitive cases, measures may put in place to protect the interests of all parties whilst an investigation is carried out. **Student Wellbeing Services** can provide expert advice and support to any student who is concerned about these behaviours (e-mail: wellbeing@uclan.ac.uk).

2.3 If the complaint is about the personal behaviour of a member of staff working for or on behalf of UCLan, it will be progressed in line with this **Student Complaints Procedure,** in consultation with the People Team.

2.4 If the complaint is about the personal behaviour of a UCLan student, it will progressed under the **Student Disciplinary Procedure** or the **Fitness to Practise Procedure** if the reported student is on a professionally regulated course.

Where more than one procedure applies

2.5 Sometimes the concerns raised within a complaint are complex, for example, there may be several interconnected issues which do not fall neatly within the scope of a single procedure. In these circumstances, the Student Casework Officer will determine the best approach for the case, taking into account the outcome that is being sought, whether a single process can be used to establish the facts and whether any issues are time critical.

2.6 It may be decided to deal with the issues under a single procedure, or to use two procedures at the same time or to pause one procedure until the other has been concluded. We will aim to make this as straightforward as possible and will explain the process and the implications, including any revised timescales.

2.7 If there is an overlap between a complaint and an appeal, we will normally consider the complaint about a service before an appeal decision can be made. The Student Casework Officer may re-classify a complaint as an academic appeal or vice versa, if the submission sits better within the remit of one procedure, or to consider matters together if there is good reason to do so.

2.8 The Student Complaints Procedure can be used to appeal all decisions made by the University except where they come within the categories excluded in the list above. In these circumstances, the matter will proceed straight to Stage 3. The complaint must be made within 15 working days of the outcome of the decision

and must be based on one or more of the grounds set out in the Stage 3 section below.

3. Who can complain?

3.1 Any student or apprentice registered on any UCLan programme of study including taught courses, postgraduate research degrees and apprenticeships may submit a complaint under this Procedure. If you have been granted an authorised interruption to study or have been temporarily suspended or excluded from the University, you may still use this Procedure. Former students may complain within a reasonable time period, normally 3 calendar months from leaving the University.

3.2 Matters of concern may be raised individually or collectively and will be dealt with seriously and fairly. You will not incur any disadvantage or recrimination as a consequence of making a complaint. Where necessary, UCLan will put in place temporary measures as a precaution whilst a complaint is investigated.

3.3 Where complaints are raised collectively, each member of the group must provide their student ID number, confirmation that they have been personally affected by the issue, and authorisation for UCLan to correspond with a single named spokesperson.

3.4 Students registered for a UCLan award who wish to raise concerns about the services at a partner institution, should aim to resolve these using the partner's complaints procedure. If the issue is not resolved in this way and it is a specific concern about the quality of learning opportunities, you may request a review by UCLan under Stage 3 of this Procedure. You must do this within 15 working days of the partner's final response and enclose a copy of that response. UCLan will review the actions taken by the partner with a view to reaching a resolution, although we may not always have the authority to determine matters at partner institutions.

3.5 Complaints from third parties will not be considered under this Procedure. UCLan's contract is with you as the student, therefore, we would expect you to deal with your own case, unless for good reason you are unable to do so. In exceptional circumstances where third party representation is needed, written consent will be required from the student for this and to allow for information to be shared to progress the case. The Students' Union Advice and Representation Centre may act on your behalf with your consent. We will normally communicate with one party at a time.

3.6 Anonymous complaints will not be dealt with under this Procedure. It is at the University's discretion as to how these are handled. Enquiries may be initiated for example, where there is a serious and compelling case which can be corroborated by other evidence.

3.7 If a complaint is submitted to the Office of the Vice-Chancellor or another senior staff member, it will be referred to the Student Casework Team who will determine which stage of this Procedure will apply in any particular case.

4. Advice and Support

4.1 The Student Casework Team can provide advice on the scope and operation of this Procedure (email: StudentComplaints@uclan.ac.uk).

4.2 The Students' Union Advice and Representation Centre can provide advice, advocacy and representation for students (email: sadvice@uclan.ac.uk).

4.3 Student Services can provide access to specialist services including counselling, wellbeing, mental health, inclusivity and study support. Student Wellbeing Advisors can support any student who wishes to make a report of inappropriate interpersonal behaviours such as harassment, sexual misconduct or domestic abuse, (email: Wellbeing@uclan.ac.uk).

4.4 Where a student has declared inclusivity needs to the University, information will be given in accessible formats and reasonable adjustments will be made to the proceedings and facilities to enable them to participate in the Procedure.

4.5 Any student who submits a complaint is entitled to be accompanied by a person of their choosing at any stage, who may be from the Students' Union Advice and Representation Centre. Any accompanying person will be there in a supporting capacity, and the student will normally be expected to make their own case in their own words. The name and designation of any supporting person must be given to the Student Casework Team 48 hours before any meeting.

4.6 This Procedure is intended to be fair and to comply with the rules of natural justice. It is not a formal court process and there is no need for anyone to have formal legal representation. A student may be accompanied by a person who is legally qualified, providing that person understands and respects the nature of the hearing and does not adopt an overly adversarial or legalistic stance.

5. Mediation

5.1 You may request mediation to help resolve your complaint at any stage. Mediation is a method of conflict resolution that brings the parties together with a neutral third person (the mediator) to facilitate communication with the aim of helping to find a solution. It is a voluntary process that requires the consent of all parties. Students are encouraged to consider mediation and can find out more at: Mediation Clinic Factsheet (2).pdf

5.2 If you wish to request mediation, you should contact the Student Casework Team who will liaise with the UCLan Mediation Clinic to determine whether the matter is suitable and, if so, what the arrangements will be.

6. Confidentiality

6.1 Confidentiality will be preserved during the process as far as possible in the interests of everyone concerned. Any evidence supplied by you or others will

normally be provided to those members of staff who need to see it in order for the complaint to be considered, unless the Investigating Officer considers there is an exceptional case to maintain confidentiality. In cases where information is restricted, due to a request for confidentiality, the University may not be able to give full consideration to the case. The Investigating Officer will explain the position in these circumstances.

6.2

6.3 Investigating officers of Stage 2 complaints should ensure that they are independent of and have had no previous involvement in the matters under investigation. The Student Casework Team will ensure that investigating officers are able to identify when there is a potential conflict of interest during their investigations, and that they know what steps they should take if they identify a potential conflict of interest.

6.2 There may be exceptional circumstances where the University is required to share information with third parties, if there is believed to be a risk to you or others.

6.3 Everyone involved is expected to respect the confidential nature of the procedure, and not to discuss or share details of the case outside the investigation, so as not to undermine the process or make a difficult situation worse, although this does not prevent anyone from seeking advice and support.

6.4 Any member of staff about whom a complaint is made will have the right to be informed of the fact and nature of the complaint by their line manager, and to be accompanied at any meetings by a UCLan colleague or Trade Union representiave.

6.5 You will be informed of the outcome of your complaint including whether it has been upheld based on the evidence, the reasons for the decision and any remedies or actions that directly affect you. This will include any measures to support you from an academic or wellbeing perspective. We will not normally disclose details of any sanctions imposed in respect of complaints about members of staff, where there is a duty of confidentiality.

7. Actions

7.1 In the case of all complaints, UCLan will ensure that appropriate action is taken. Where a complaint is found to be justified in full or in part, UCLan will aim to put things right as far as possible, and any remedy with be notified as part of the outcome. The guidance published by the OIA will be taken into account when deciding on a suitable remedy. If a complaint is found to be not justified, you will be given the reasons and information about how you can request a review of the decision, if there are grounds to do so.

7.2 References in this Procedure to a post-holder (e.g. Dean of School) include a nominee acting on behalf of that post-holder. The University will ensure that anyone investigating or deciding on a complaint has had no material involvement in the matter.

7.3 Action under this Procedure will normally cease if formal correspondence is received from a solicitor on behalf of the student, or if legal proceedings are instigated against the University relating to the matters complained about.

8. Timescales

7.4 Complaints should be raised as early as possible to enable a timely investigation and effective resolution. It is important that students do all they can to meet the deadlines for submitting all the required information, so that complaints can be progressed in a timely manner.

Stage 1 Complaints should normally be raised with the relevant member of staff immediately where possible, and normally not later than 10 working days after the incident giving rise to the complaint.

Stage 2 Complaints should normally be lodged within 15 working days of the Stage 1 response or within 15 working days of the incident giving rise to the complaint.

Stage 3 Complaints should normally be lodged within 15 working days of the Stage 2 response from UCLan or the final response from the partner institution.

Former Students may complain within a reasonable time period, which will normally be within 3 calendar months of leaving UCLan.

7.5 UCLan will exercise discretion where there is good reason for a complaint to be submitted outside these timescales. In particular, the timescales will be adjusted where a student has inclusivity needs or has experienced trauma, for example, if there is a report of sexual misconduct or harassment. It should be noted that it may be challenging to investigate matters which occurred a long time ago, because the passage of time may lead to difficulties obtaining evidence.

7.6 Complaints will be dealt with within 90 days of receipt of a Stage 2 Complaint by the Student Casework Team, as recommended by the OIA. There may be circumstances when, for good reason, the University will need to extend the timescales set out in this Procedure. When this is the case, you will be informed of any delay and the reasons and will be kept regularly updated about progress.

7.7 If there are circumstances where swift action is required e.g. external deadlines imposed by a regulatory body, this should be notified to the Student Casework Officer who will assess whether priority action is required and will progress the complaint accordingly.

9. Monitoring the Process

7.8 UCLan will monitor the receipt of complaints and outcomes, and an annual report will be made to the Academic Board. This will include an analysis of equality issues and protected characteristics to ensure the Procedure is accessible and that outcomes are effective for all students.

7.9 The report will identify themes, trends and lessons and recommended actions to enable UCLan to continuously improve its services for students and ensure an inclusive, consistent and constructive approach to complaints. The effectiveness of this Procedure will be kept under review and where appropriate, changes will be made.

P R O C E D U R E

10. Stage 1 – Early Resolution

10.1. It is anticipated that the majority of complaints will be resolved satisfactorily on an informal basis and close to their point of origin. Every effort should be made to resolve a complaint at the informal, local stage before a formal complaint is submitted.

10.2. Initial contact should normally be made with the member of staff who is responsible for dealing on a day-to-day basis with the matter being complained about. This can be face-to-face, by phone, by e-mail or in writing. If the complaint refers to an academic matter, the first point of contact should normally be the module tutor or course leader. If the complaint refers to a service department such as the Library or Financial Services, it should discussed with the appropriate manager. A complaint may also be raised informally with a senior member of staff or with the Student Casework Team who will refer the matter to the relevant member of staff.

10.3. Complaints at this stage should be drawn to the attention of the relevant member of staff immediately where possible, and normally not later than 10 working days after the incident giving rise to the complaint, to increase the chances of early resolution and prevent the matter from escalating.

10.4. At this stage, the relevant member of staff will normally discuss the complaint with you and anyone else involved and make any other enquiries as they see fit, to determine whether it can be resolved without recourse to more formal procedures.

10.5. Resolution may be achieved by providing an explanation as to why the issue occurred and, if appropriate, an apology and details of any action that will be taken to prevent the issue recurring.

10.6. If early resolution is not possible or you are not satisfied with the response, you will be directed to the formal stage of the Procedure (Stage 2) and signposted to sources of advice and support.

10.7. A written outcome will normally be sent to you within 10 working days of receipt of the complaint by the Student Casework Team.. This will be notified to the Dean or Director where the effectiveness of the School or Service could be improved and will be referred to if the complaint is progressed to Stage 2.

11. Stage 2 – Formal Stage

11.1 Stage 2 of this Procedure may be initiated where:

- you are not satisfied with the response after attempting early resolution
- the issues are complex and require detailed investigation e.g. where they relate to the conduct of a staff member or cover a number of different incidents
- you have a good reason for declining to engage with the early resolution stage
- the Student Casework Officer considers that early resolution is not suitable given the seriousness or circumstances of the case.

11.2 The Stage 2 Complaint Form should be completed and submitted to the Student Casework Team within 15 working days of the Stage 1 response or the incident giving rise to the complaint.

11.3 The Stage 2 Complaint Form requires details of:

- the nature of your complaint
- the steps taken to attempt early resolution and the reasons why you remain dissatisfied, (or the reasons why informal steps have not been taken)
- the reasonable steps that you would wish to see taken to resolve the matter.

11.4 A chronology of events should be appended together with supporting evidence. Decisions will be based on the evidence supplied, therefore, it is important that you submit evidence to support your complaint, for example, copies of letters, e-mails, screenshots, extracts from course materials or witness statements.

11.5 The Student Casework Team will acknowledge receipt of your Stage 2 Complaint within 5 working days.

11.6 A Student Casework Officer will determine whether the complaint has been submitted under the correct procedure, within the published timeframe and in the correct format and is, therefore, suitable to be considered under the formal stage. This might result in a complaint being referred to a different procedure or declined because is has been submitted outside the published timeframe. If early resolution has not been attempted, and the Student Casework Officer considers that this should have happened, the complaint will be referred for consideration at Stage 1.

11.7 If the complaint is eligible to proceed to the formal investigation stage, the Student Casework Officer will notify the relevant Dean of School or Director of Service who will refer the complaint to a member of staff with appropriate seniority and expertise, who has had no previous involvement in the matter, to conduct an investigation. In complex or sensitive cases, a member of staff from a different School or Service may be appointed.

11.8 Where a complaint refers to an individual member of staff, the Student Casework Officer may contact the People Team with details of the complaint. If the complaint relates to academic or professional services, such as academic support, teaching or supervision, it will normally be investigated in line with Stage 2 of this Procedure.

11.9 If the complaint relates to personal behaviours such as harassment, sexual misconduct or domestic abuse or is otherwise complex or sensitive, the Student Casework Officer will convene a risk assessment to consider measures to protect the interests of all parties whilst an investigation is carried out. This may result in an investigation under Stage 2 of this Procedure which may be carried out jointly by the Student Casework Team and the People Team, or an investigation under

the People Team Procedures. You will be informed how the matter is being investigated and will be updated on progress.

11.10 The Investigating Officer will determine the scope and conduct of the investigation. This will normally involve a meeting with you and any other people involved. Meetings will normally be carried out separately and may be conducted remotely. The investigation will also involve a review of other relevant evidence. Any evidence supplied by you or others involved will normally be provided to both parties, unless the Investigating Officer considers there is an exceptional case to maintain confidentiality.

11.11 You may be accompanied by a friend or a Students' Union Advisor for support at the investigation meeting. The purpose of the meeting will be:

- for you to present and amplify your written case
- for the Investigating Officer to ask questions and request evidence
- to clarify the purpose and scope of the investigation
- to understand the steps you wish to see taken to resolve your complaint
- to establish whether any interim precautionary measures are needed
- to ensure that you are aware of relevant University support services
- to explain the process and the anticipated timescale for a written response.

11.12 Representatives of the Student Casework Team will attend to provide advice on the process and take notes which will be the formal record of the meeting. A copy of the notes will be sent to you within 5 working days with an opportunity for you to make any comments, which will be incorporated or held alongside the notes. The notes may be disclosed to any other people named in the complaint.

Recording of meetings would not normally be permitted unless required as an adjustment under the Equality Act 2010. A written record of the meeting will be taken. These notes will be shared with the student within 5 working days, and students will be asked to confirm the accuracy of the notes.

11.13 The Investigating Officer will issue a formal written response setting out the outcome of your complaint. Where the complaint is found to be justified in full or in part, the outcome will include details of what action will be taken including any remedy, any steps to ensure there is no recurrence and associated timescales.

11.14 Where any part of the complaint is not found to be justified, the outcome will give clear reasons for the decision based on the evidence that was considered and details of how you can request a review under Stage 3 of this Procedure.

11.15 It is the University's aim that complaints dealt with at Stage 2 will be resolved within 35 working days from the receipt of the complaint by the Student Casework Team. There may be circumstances when, for good reason, we need to extend this timescale. When this is the case, we will inform you of the reasons for any extension and will update you regularly on progress.

11.16 All formal complaints and responses will be overseen and monitored by the Student Casework Team.

12. Stage 3 – Review Stage

12.1 Stage 3 of this Procedure may be initiated to request a review of the following:

- the outcome of a Stage 2 complaint
- the outcome of a complaint about the quality of learning opportunities at a partner insitution
- the outcome of a report about the behaviour of a UCLan student or member of staff
- any UCLan decision which is not excluded under section 2.1.

12.2 A request for a review of the outcome of the formal Stage 2 response may be made on one (or more) of the following grounds:

a. that relevant new evidence or circumstances have become known, which could make a difference to the outcome and could not reasonably have been provided earlier in the process

b. that there was an irregularity or unfairness in the conduct of the procedure, and this materially affected the outcome

c. that the decision and outcome were unreasonable in the light of the evidence provided.

12.3 A Stage 3 Complaint Form should be completed and submitted to the Student Casework Team at: StudentComplaints@uclan.ac.uk, within 15 working days of the date of the Stage 2 response or the response from the partner institution.

12.4 Stage 3 may only be invoked where Stage 2 has been completed (or when separate procedures including those at a partner institution have been completed). The purpose of Stage 3 is to review the actions and decisions taken at the previous stage. No new complaints may be introduced at this point. You are encouraged to seek advice from the Students' Union Advice and Representation Centre before invoking Stage 3.

12.5 The Stage 3 Complaint Form requires details of:

- the nature of the complaint
- the steps already taken to resolve it and a statement as to why you remain dissatisfied
- the reasonable steps that you would wish to see taken to resolve the matter.

Relevant evidence should be appended e.g. copies of letters, e-mails, signed witness statements, screenshots and any other supporting documentation.

12.6 A Complaint Review Panel (the Panel) will be identified comprising at least three members as follows:

- the Vice-Chancellor's nominee who will normally be a Dean of School who will act as Chair

- a member of staff with appropriate seniority and expertise who is not associated with the School/Service concerned
- a student who will normally be an elected officer of the Students' Union.

The Panel my co-opt additional members or seek specialist advice as required, including from external representatives. Members of the Panel will have had no previous involvement in the complaint.

12.7 The Panel will convene in private session to review the case and will receive copies of the outcome, minutes and evidence from the previous stages. The Panel may request specific information from you and/or the School/Service (or partner institution). Where new information is provided, this will be shared with you and the School/Service before a decision is made. The Panel will consider whether: the relevant procedures were followed at the previous stage; the outcome was reasonable and clear reasons were given at the previous stage; there is a compelling reason for the late submission of any new evidence.

12.8 The Panel will decide on the appropriate action of either:

a. dismissing the request for review in which case you will be given reasons for the decision

b. convening a hearing to hear your case and the response by the School or Service

c. upholding the request for a review and determining the outcome of the complaint

d. referring all or part of the complaint back to be re-considered at the previous stage by a new investigating officer..

12.9 The outcome of the Stage 3 complaint will be communicated to you in writing, normally within 5 working days of the date of the Stage 3 panel meeting. There may be circumstances when, for good reason, we need to extend this timescale. When this is the case, we will inform you of the reasons for any extension and will update you regularly on progress.

13. Independent External Review

13.1 When the University's internal Student Complaints Procedure has been completed, we will send you a Completion of Procedures letter. This will state that, if you are not satisfied with the University's final decision and outcome, you are entitled to request a review by the Office of the Independent Adjudicator for Higher Education (OIA). You must submit a Scheme Application Form to the OIA within 12 months of the date of the Completion of Procedures Letter. You can find out about the OIA scheme and check whether your complaint is eligible under the OIA rules by visiting the OIA Website

13.2 The OIA will review your complaint and contact you directly to let you know what will happen next. You can seek independent advice and support from the Students' Union Advice and Representation Centre.

13.3 After the University's internal Student Complaints Procedure has been completed, learners who are registered on degree apprenticeship programmes also have the opportunity to raise their complaint with the Education and Skills Funding Agency (ESFA), if they are not satisfied with the University's final decision and outcome. You must contact the ESFA within 12 months after the issue happened. You can find out about the ESFA Complaints Procedure and how to submit a complaint by contacting the ESFA Apprenticeship Service Support on 08000 150 600 or at: helpdesk@manage-appretniceships.service.gov.uk or by visiting the Goverment ESFA Website for their complaints procedure.

13.4 The ESFA will review your complaint and contact you directly to let you know what will happen next. If you are not satisfied with the ESFA response, you can contact the Department for Education.

14. Vexatious, Malicious or Frivolous Complaints

13.5 UCLan is committed to considering all matters of proper concern raised by students. We may, however, decline to deal with complaints which are vexatious, malicious or frivolous.

13.6 A complaint may be considered to be vexatious where it:

- clearly does not have any serious purpose or value
- is designed to cause disruption or annoyance, or gives rise to disproportionate inconvenience or expense
- has the effect of harassing the University or its staff
- can otherwise fairly be characterised as obsessive or unreasonable.

13.7 A complaint may be considered to be malicious where:

- there is evidence of intention to do harm or mischief
- it is reasonable to assume there was an intenton to do harm or mischief
- it is clear that no redress is sought.

13.8 A complaint may be considered to be frivolous where:

- it is not serious or sensive in content, attitude or behaviour
- there is no clear desire for a sensible or reasonable form of redress.

13.9 Where there is reason to believe that a complaint is vexatious, malicious or frivolous, the Academic Registrar may decide to reject the complaint without full consideration of its merits. Reasons will be given as to why the complaint is considered to be an abuse of process. The complainant may request a review of this decision in line with Stage 3 of this Procedure.

13.10 The University may also invoke the Regulations for the Conduct of Students where a complaint is vexatious, malicious or frivolous or where the behaviour the complainant is otherwise unacceptable – see Appendix 4.

15. Further Information

13.11 The Stage 2 and 3 Complaint Forms are attached at appendices 1 and 2 and can also be completed online for submission to the Student Casework Team.

13.12 If you are uncertain about the scope of this Procedure or who to contact in the first instance, the Student Casework Team will be happy to assist and can be contacted at: StudentComplaints@uclan.ac.uk

13.13 Please also contact the Student Casework Team if you require a copy of this Procedure in an alternative format or if you have any difficulty in completing the Complaint Form.

13.14 This Student Complaints Procedure has been approved by the Academic Board and the University Board and forms part of the University's overall quality assurance framework. It is kept under review to ensure compliance with the Office of the Independent Adjudicator (OIA) Good Practice Framework and sector guidance published by the Quality Assurance Agency (QAA), Office for Students (OfS) and Universities UK (UUK).

16. Useful Websites:

- UCLan Students' Union
- UCLan Student Services Support
- Office of the Independent Adjudicator for Higher Education - OIAHE
- Office for Students
- The Quality Assurance Agency for Higher Education (qaa.ac.uk)

Appendices

Appendix 1	Complaint Form: Stage 2
Appendix 2	Complaint Form: Stage 3
Appendix 3	Notes for Guidance on a Stage 3 Complaint Hearing
Appendix 4	Policy on Unacceptable Complainant Behaviour

All printed or downloaded versions of this document are classified as uncontrolled.
A controlled version is available from the University website.

Stage 2 Complaint Form

A Stage 2 complaint form should be completed:

i. if having pursued the matter informally, it has not been resolved; or
ii. if there are circumstances where it is appropriate to progress directly to stage 2 (see the Student Complaints Procedure).

Section A

Full Name _____

Student Number _____

School of Study _____

Course _____ **Year of Study** _____

Contact Email Address _____

Contact Address

.....

Daytime telephone no. _____

_____

Section B

Summary of the key points of your complaint:

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Summary of the steps already taken to address your complaint (or the reasons why informal steps have not been taken):

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If you wish to request a meeting with the investigating officer, please tick this box ☐

Reasonable steps you would wish to see taken to resolve your complaint:

Signed: **Dated:**

Please submit the following documents with this form:

- **Copies of relevant letters, e-mails, notes and other supporting documentation**
- **A list of the key events in date order**

Stage 3 Complaint Form

Guidance Notes

If you are dissatisfied with the outcome at stage 2, complete this form to request a review of the decision of the Dean/Head of School or Director/Head of Service under stage 3 of the Complaints Procedure. A request for review must be submitted to the Complaints Liaison Officer within 15 working days of the date of the stage 2 response.

The request for a review must state the grounds on which the review is sought and should be accompanied by appropriate documentary evidence. The request must be based on one or more of the grounds set out at Section B below.

Section A

First Name ..... Surname .....

Student Id/Enrolment Number .....
Course Title ..... ……Year of study……

School .....

Contact e-mail address .....

Current Address .....

.....

Daytime ☎ .....

Section B

The grounds for appeal against the stage 2 decision are as follows:

a) **that new evidence or circumstances have become known, which the student could not have reasonably made known at the time of the stage 2 complaint;**

b) **that stage 2 of this Procedure was not conducted fairly and/or in accordance with due process, and this materially affected the outcome;**

c) **that the decision and outcome of the stage 2 complaint were unreasonable in the light of the evidence provided.**

Section C

Student's Case:
Please note that the purpose of stage 3 is to REVIEW the decision made at stage 2 - no NEW complaints can be introduced at stage 3.

Note: The receipt of complaints and responses to them will be monitored. As part of this process, the University may contact you to seek your views on how your complaint was handled. **If you do not wish to be contacted**, please tick this box ☐

Please provide a brief summary of the nature of your complaint and the steps already taken to resolve it:

Please detail which ground(s) you wish to seek a review of the stage 2 outcome (Ground a, b or c detailed above) and the reasons why:

Ground (s) *(a, b or c above)***:**

Reason: *(Please use additional sheets if necessary)*

Please state the reasonable steps you would like to see taken to resolve your complaint:

Date:

Please submit this form along with:

- **a list of key events in date order**
- **all supporting evidence, e.g. copies of relevant emails, letters, notes etc**.

Signed: **Dated:**

UNIVERSITY OF CENTRAL LANCASHIRE

Notes for Guidance on the Conduct of a Stage 3 Complaint Hearing

1. Purpose

In serious or complex cases the University may decide to convene a Complaint Review Panel to hear the complaint at Stage 3 of the Student Complaints Procedure.

This will involve hearing the case by the Student and the response by the Dean of School or Director of Service (or nominee).

2. The Complaint Review Panel

A Complaint Review Panel (the Panel) will be convened comprising at least three members as follows:

- the Vice-Chancellor's nominee who will normally be a Dean of School who will act as Chair
- a member of staff with appropriate seniority and expertise who is not associated with the School/Service concerned
- a student who will normally be an elected officer of the Students' Union.

The Panel my co-opt additional members or seek specialist advice as required, including from external representatives. Members of the Panel will have had no previous involvement in the complaint.

3. Notice of a Stage 3 Complaint Hearing

The Student will be given 5 working days' notice of the hearing date and will be notified of the right to be accompanied by a friend who may be from the Students' Union Advice and Representation Centre.

The Student Casework Officer will: a. compile a bundle of documents generated by the previous stages of the Procedure; and b. invite the student and the Dean of School or Director of Service (or nominee) to submit any additional documents on which they wish to rely. Copies of all documentation will be circulated to the Panel and both parties not less than 3 working days before the hearing.

Where the complaint is about a member of staff, the response of the member of staff may be incorporated in the response of the Dean of School or Director of Service.

4. Conduct of a Stage 3 Complaint Hearing

The following procedure will normally apply at a Stage 3 hearing:

(i) The Chair will invite all those present to introduce themselves and will explain the purpose of the hearing.

(ii) The Student (or representative) will present the complaint.

(iii) The Panel and Dean of School or Director of Service (or nominee) will have the opportunity to ask questions.

(iv) The Dean of School or Director of Service will present the response.

(v) The Panel and the Student (or representative) will have the opportunity to ask questions.

(vi) The Panel may ask questions of either party at any stage during the hearing.

(vii) Summing up by the Student (or representative).

(viii) Summing up by the Dean of School or Director of Service (or nominee).

(ix) The Panel may, at its discretion, depart from the normal procedure, if it appears to be in the interest of fairness to do so.

(x) The Panel may: retire to consider its decision; or seek further information; and/or adjourn to a later date.

Representatives of the Student Casework Team will be in attendance to adise on the process and take the formal minutes.

5. Documentation and Witnesses

The Panel may request additional documentation from either party either before or at the hearing.

Otherwise additional documentary evidence, other than that which was submitted by the student and that included in the bundle under paragraph 3 above, will be admitted only at the discretion of the Panel.

The student and the Dean of School or Director of Service (or nominee) are entitled to submit any statements by witnesses in writing. Witnesses may be invited to give evidence in person at the discretion of the Panel.

6. Conclusion

The Panel may decide:

(i) that the complaint is justified in full or in part and that the School/Service should implement recommendations; or

(ii) that the complaint should be rejected.

The Panel may also recommend any changes to University policies and procedures.

Any conclusions or recommendations will be communicated by the to the Student and the Dean of School or Director of Service (or nominee) in writing, normally within 5 working days of the hearing.

Policy on Unacceptable Complainant Behaviour

1. This Policy sets out the University's approach to the relatively few complainants whose actions or behaviour it considers to be unacceptable. The term complainant includes any person acting on behalf of a student or who contacts the University in connection with a complaint.

2. The University understands that making a complaint can be a stressful experience for students, however, we also have a duty to ensure the safety and welfare of our staff.

3. The University is committed to dealing with all complainants fairly and impartially and to providing a high quality service, but we do not expect staff to tolerate behaviour which we consider to be unacceptable, for example, any communication which is:

   - abusive, offensive, defamatory or distressing;
   - aggressive, threatening, coercive or intimidating;
   - unreasonably persistent or demanding.

4. The University will take action to protect staff from such behaviour, and this may include action under the University's Regulations for the Conduct of Students.

5. Complainants can contact the University by letter, e-mail or telephone. We cannot correspond with anyone who is not confirmed in writing as the representative of the complainant.

6. When the University considers that the behaviour of a complainant is unacceptable, we will tell them why we find their behaviour unacceptable and we will ask them to change it. If the unacceptable behaviour continues, we will take action to restrict their contact in connection with the complaint.

7. The decision to restrict access will be taken by the Academic Registrar (or nominee). Any restrictions imposed will be appropriate and proportionate. The University will take account of any reasonable adjustments as a consequence of any declared disability. The options which will be considered are:

- asking the complainant to enter into an agreement about their conduct
- requesting contact in a particular form e.g. letters only
- requiring contact to take place with a named person
- restricting telephone calls to specified days and times
- asking the complainant to appoint a representative to correspond with us
- in exceptional circumstances, invoking the procedures for malicious, vexatious or frivolous complaints as set out in the Student Complaints Procedure.

8. We will write to tell the complainant why we believe their behaviour is unacceptable, what action we are taking and the duration of that action.

9. Where a complainant behaves unacceptably during a telephone conversation, we may as a last resort terminate the call.

10. Where a complainant continues to behave in a way which we consider to be unacceptable, we may decide to terminate contact with them. This may mean that we will not continue with the handling of their complaint.

11. Where the behaviour threatens the safety and welfare of University staff and/or students, we will consider other options, e.g. action under the University's Regulations for the

Conduct of Students (including suspension from the campus), reporting the matter to the police, and/or taking other legal action.

12. This Policy and its implementation will be reviewed annually by the Students and Teaching Committee.