

Complaint Procedures for Students

1. Introduction

We make every effort to ensure that all students have the best experience possible while studying at Arts University Plymouth. However, we recognise that there may be occasions when you are dissatisfied with some aspect of your experience at the University.

With regards to being a higher education provider we are subject to regulatory requirements in relation to the way we handle complaints from students. Failure to operate such systems could constitute a breach, or an increased risk of a future breach, of the Office for Student's [initial and ongoing conditions](#) B2 (Quality) and C1 ([Guidance on consumer protection law](#)).

2. Guiding Principles

In accordance with the revised QAA Quality Code for Higher Education's Expectations for Quality (Core Practices) and using the [Advice and Guidance for Concerns, Complaints and Appeals](#) this Complaints Procedure is designed to help you resolve any of those experiences. It has also been written taking into account good practice and guidance from the Office of the Independent Adjudicator (OIA)¹ (see paragraph 4.5).

- **QAA Core Practice**

- *The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.*
 - *In practice, this means that providers have formal mechanisms for handling complaints and appeals.*

These procedures reflect that core practice and the University's commitment to quality and dealing with complaints effectively ensuring that:

- Concerns, complaints and appeals are used to improve the student experience.
- Concerns, complaints and appeals procedures are accessible and inclusive.
- Information is clear and transparent.
- People raising concerns or making complaints are treated with dignity and respect, and their well-being is properly considered.
- Complaints processes are proportionate and allow for cases to be resolved as early as possible.
- Complaints procedures are fair and impartial.
- Confidentiality and anonymity are appropriately assured.
- Complaints are resolved in as timely a way as possible.

¹ The good practice framework: handling student complaints and academic appeals (OIA).

Students should feel free to raise matters of concern without risk of disadvantage or recrimination. Our aim is to resolve issues of dissatisfaction as close to the initial point of contact as possible and to conduct thorough and fair investigations of complaints so that, where appropriate, evidence-based decisions can be made based on the facts of each individual case.

3. Scope

3.1 Who can use these procedures?

The following people can use these procedures to make a complaint:

- students enrolled at Arts University Plymouth (higher education and pre-degree)
- students who have left Arts University Plymouth within the last two months (60 calendar days). In the case of taught students, your complaint is made within 60 calendar days of ceasing to be a registered student. Only in exceptional circumstances will complaints be considered outside of this timescale.

The following people cannot make a complaint using these procedures:

- those applying to study at Arts University Plymouth (refer to [Admissions Policy](#))*
- anonymous complainants (see paragraph 3.4)
- former students who have left Arts University Plymouth for over two months (60 calendar days)**
- third parties wishing to raise a complaint on behalf of a student; this includes parents, guardians, relatives or the partner of a student (unless the student is aged under 18 and agrees to the complaint being heard)***
- members of staff (refer to [HR and Statutory documents folder](#) for separate procedures such as for Whistleblowing and Staff Grievances).
- members of the public (please see [Complaints from the Public Guidelines](#) on the University website).

*complaints may still be considered but there is no appeal process and the OIA will only review complaints from enrolled students

**complaints may be considered if there are exceptional circumstances such as a matter that has arisen since leaving that was unknown before that time

***complaints may be considered in exceptional circumstances but only if written authorisation *and* valid reasons have been provided by the student concerned.

3.2 What complaints are covered by these procedures?

Under these procedures students may complain about matters which they have been materially affected by, relating to:

- quality - a failing in an academic or non-academic facility or service provided by the University (eg quality of learning resources, fairness of procedures/correct interpretation) including how these areas were affected during the Covid-19 pandemic or during any industrial action
- academic programmes (ie misinformation)
- academic conduct of University staff (standard of teaching, supervision, communication, maladministration)

- treatment by a staff member, fellow student or contractor (discrimination, bias, inappropriate behaviour / bullying or harassment including sexual harassment or violence (see also [Dignity at Study Policy](#) and [Sexual Violence & Misconduct Policy](#)))

The definition of a complaint is very broad and the list above is not exhaustive. However, not every concern raised with the University is a complaint. For example, the following would not be considered complaints:

- academic appeals or appeal outcomes (see [Academic Regulations](#)) (HE) / [Pre Degree Appeals Procedure](#)
- disagreement with academic judgement
 - academic judgement is not any judgement made by an academic; it is a judgement that is made about a matter where the opinion of an academic expert is essential. So for example a judgement about marks awarded, degree classification, research methodology, whether feedback is correct or adequate, and the content or outcomes of a course will normally involve academic judgement (taken from [OIA glossary](#))
- recruitment and admissions (those applying should initially refer to the [Admissions Policy](#)) although depending on the circumstances the case may be considered under these procedures (but cannot be escalated to the OIA)
- complaints about matters which have already been or are being considered by the OIA, a court or tribunal
- a request under the Freedom of Information Act or Data Protection Act
- a request for information or an explanation of policy or practice
- a response to an invitation to provide feedback through a formal mechanism such as a questionnaire will generally not be treated as a complaint
- a comment made about the University on social media including on University social media pages (although any comments may be followed up)
- a complaint about private accommodation / tenancy agreements, including those accommodation providers recommended by the University.

3.3 Early resolution

Resolving complaints early, informally, contributes to the overall efficiency of the University. Concentrating on achieving an early resolution of a complaint will free up the time of academic and support staff and ultimately contribute to the continued positive student experience. In most cases problems or misunderstandings will be dealt with effectively by such early discussion - between staff and students, through student representation at meetings with course tutors, Student Staff Liaison Group (SSLG) meetings or through Student Voice meetings.

The basic processes for investigating complaints are the same for students, members of the public and applicants to the University.

It is understood that some individuals may be unable or reluctant to make a complaint on their own as the process may bring on or exacerbate mental health issues such as stress and anxiety. This is recognised by the University and support will be provided. Therefore, while students are strongly encouraged to bring a complaint themselves, the University will accept complaints brought by third parties, as long as the individual affected has given their personal consent under the requirements of the Data Protection Act. This usually means that the complainant must give clear written

authority to the University for the third party to act on their behalf, such as an email from their University email account. Complaints made by a third party with the explicit permission of the complainant will be dealt with according to the same timescale.

3.4 Anonymous complaints

Complaints submitted anonymously will be considered if there is enough information in the complaint to enable the University to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. However, the University may give consideration to the issues raised, and will record the complaint so that corrective action can be taken as appropriate. If an anonymous complaint contains serious allegations, it must be referred to the Registrar or Head of Compliance & Quality Systems without delay.

3.5 Complaints involving other organisations or contractors who provide a service on behalf of the University

If an individual complains to the University about the service of another organisation, but the University has no involvement in the issue, the individual should be advised to contact the appropriate organisation directly.

Where a complaint relates to a University service that also involves the service of another organisation the complaint must be handled through this procedure in the first instance. In particular, the same timescales will apply. This relates to complaints that involve services provided on the University's behalf (such as through partner institutions, for example the canteen staff or DSA contracted support workers) or to those provided by a separate organisation (such as awards agencies for example).

If enquiries to an outside organisation in relation to the complaint are required, care must be taken to comply with Data Protection legislation and the guidance on handling personal information. Such complaints may include, for example:

- a complaint made in relation to provision of third-party services
- a complaint made about a service that is contracted out
- a complaint made to the University about a student loan where the dissatisfaction relates to the service we have provided and/or the service the loan agency has provided.

3.6 Time limits

Complaints should be raised with the University as soon as problems arise to enable prompt investigation and swift resolution. A complaint that is raised more than 60 calendar days after the incident will be more difficult to follow up and will not normally be accepted other than where you can show good cause for the delay (such as independently certified medical or other extenuating circumstances) or if the incident or outcome from the incident was not known until significantly later.

This procedure sets a discretionary time limit of **90 days** from a student raising a complaint with the University to internal resolution, starting from when the complainant first became aware of the

problem, unless there are special circumstances for requesting consideration of a complaint beyond this time. Beyond the 90 day time limit, the University will exercise discretion in the way that the time limit is applied. The time limits are explained in the individual complaint stages that follow.

4. The Complaint Handling Procedure

The complaints process is intended to provide a quick, simple and streamlined procedure with a strong focus on early resolution by empowered staff. Students are encouraged to use the complaint procedures to complain and not use surveys or social media as a medium to make initial complaints. The procedure involves the stages which are explained below.

4.1 Stage 1 - Informal Resolution

Stage 1 seeks to resolve straightforward complaints swiftly and effectively at the point at which the complaint is made, or as close to that point as possible. This should usually be resolved at programme level or within the area concerned. This stage should be completed within **five working days** or one calendar week of the complaint being made.

Anyone who has a complaint is encouraged to raise it initially at the point of, or as close to the point of becoming aware of it as possible and to raise it with the department or service area in which the issue arose. Complaints at this stage may be made face-to-face (with notes being made), in writing (letter) or by email and may seek the advice or intervention of the Student Union President to assist in resolution. The purpose of early resolution is to attempt to resolve as quickly as possible complaints which are straightforward and require little or no investigation. Complaints at this stage of the process may be addressed by any relevant member of the University's staff. Members of staff to whom complaints are made will consider some key questions:

- Is this a complaint or should the individual be referred to another procedure?
- What specifically is the complaint (or complaints) about and which area(s) of the University is / are involved?
- What outcome is the complainant hoping for and can it be achieved?
- Is this complaint straightforward and likely to be resolved with little or no investigation?
- Can the complaint be resolved on the spot by providing an apology / explanation / alternative solution?
- If I cannot help, can another member of staff assist in seeking an early resolution?
- What assistance can be provided to the complainant in taking this forward?

Resolution may be achieved by providing an on-the-spot explanation of why the issue occurred and/or an apology and, where possible, what will be done to stop this from happening in the future. If responsibility for the issue being complained about lies in the staff member's area of work, every attempt will be made to resolve the problem at source. If responsibility lies elsewhere, the staff member receiving the complaint must liaise with the relevant area rather than simply passing the complainant on to another office (for example a lecturer receiving a complaint about the Library).

4.2 Stage 2 - Formal investigation

Stage 2 is appropriate when a complainant is dissatisfied with the outcome of informal resolution, or where informal resolution is not possible or appropriate due to the complexity or seriousness of the case.

In this case a formal complaint may be raised in writing by letter or email, or exceptionally in person (verbally), to the Head of CQS, as soon as possible and ideally within **14 days** from the end of the informal stage. The complaint should include standard details such as name and programme being undertaken and detail clearly what the complaint is, what action has been taken to date to resolve it and importantly what the complainant would like as an outcome. Any relevant evidence should be included and the formal written complaint should be made within **20 working / business days of completing Stage 1**.

On receipt of the complaint the Head of CQS will log it and start an investigation and the complainant will receive written confirmation that the complaint has been received and is being processed - **within five working days**. The complainant will often be informally interviewed if any further information is required or anything needs clarifying and to have the process fully explained. If for any reason the Head of CQS is unable to investigate, for example if implicated or involved in the complaint, then an alternative, appropriate member of staff, of at least Subject Leader / Senior Lecturer level or Support Staff equivalent, will be delegated the responsibility, ensuring that staff member has the experience and necessary resources to deal with it.

The investigation may involve interviews with relevant persons who may be appropriate to the case. This may include staff and students. Interviews may involve the complainant and those complained about or any witnesses - anyone interviewed may be accompanied by someone for support. All necessary action will be taken to investigate a complaint fully, setting out the outcome at the conclusion of this stage.

Students should normally receive a written response within **20 working / business days** unless the complaint is particularly complex or if falling over periods when annual leave is taken. The complainant will be informed if the time is likely to extend beyond a calendar month. It is recognised however, that students do not raise complaints lightly and to reduce impact on individual anxiety the aim will always be to resolve a complaint as quickly as possible. The response will explain how the investigation was carried out, who was involved and what resources such as student records, emails etc were accessed. The response will detail the outcome including any decision to **uphold or not uphold** the complaint, if appropriate, and outlining the reasons in straightforward language; the University will do this by stating whether the complaint is **justified, partly justified or not justified**, the wording used by the OIA. This will help the complainant decide whether or not to pursue the matter further so will also include information on taking the complaint to the review stage, including timescales and where and how to access support.

4.3 Stage 3 - Formal Review

If the complainant is unhappy with the outcome of the formal response at Stage 2 and/or any action taken the complaint can be referred to the Vice-Chancellor, within **10 working / business days**.

Complainants should write to the Vice-Chancellor, outlining why they feel dissatisfied with the response made, with further details of resolution or outcome sought. This stage is to ensure that appropriate

procedures were followed and that the decision was reasonable. This stage does not usually require a reconsideration of the issues raised, such as a further investigation unless the Vice-Chancellor or delegated SLT member feels it absolutely necessary. The complainant may however be interviewed again to clarify any points raised.

The Vice-Chancellor will review the complaint and may, as alluded to above, allocate the request to a designated member of the Senior Leadership Team (SLT) not involved at any previous stage. It is important that both the reviewer and the complainant understand the purpose and scope of the review. If the complainant's expectations appear to exceed the scope of the review stage, this should be explained to the student as soon as possible in writing in order to manage expectations about possible outcomes.

If the complaint is still not upheld the outcome of the review stage should be communicated to the student in writing through a **Completion of Procedures (CoP)** letter as soon as possible and not more than **20 working / business days** after receipt of the letter escalating the complaint.

The CoP letter should include a clear explanation and outline the reasons for the decision in straightforward language. This will help the student decide whether or not to pursue the matter externally and will include necessary timescales and support and advice available.

If the Vice-Chancellor upholds a complaint, meaning they agree with the complainant, but the complainant continues to be dissatisfied with actions for resolution, there is the right to request a CoP letter within **two working / business days** of receiving the Stage 3 response.

4.4 Independent external review - Pre Degree

Students on pre degree courses or apprenticeships who feel their complaints (when formally notified as closed by the University) have not been adequately addressed by the University after following this process (Stages 2-3), have the right to take their complaint to the following external authority:

- [Education and Skills Funding Agency](#) - the HoCQS will be able to provide relevant details.
- In some cases it may be necessary to escalate to another external authority, such as the qualification provider, depending on the level of study - the HoCQS or Pre Degree Quality & Examinations Manager will be able to provide relevant details.

4.5 Independent external review - Higher Education

If Stage 3 is completed and the HE student complainant remains dissatisfied with the outcome, an application may be made for a review of the matter to the student ombudsman, the Office of the Independent Adjudicator for Higher Education (OIA). The OIA runs an independent scheme to review student complaints. Arts University Plymouth is a member of this scheme (under Condition C2 of the [OfS Conditions of Registration](#)). If a student is unhappy with the outcome they can ask the OIA to review the complaint.

You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: <https://www.oiahe.org.uk/students> .

It is a condition of registration with the Office for Students (OfS) (C2) (for degree awarding powers) that the University complies with the requirements of the OIA. Students usually need to have completed the HE provider's own procedures before complaining to the OIA.

We will send you a letter called a “Completion of Procedures Letter” (CoP) as mentioned above, when you have reached the end of our processes and there are no further steps you can take internally. If your complaint is not upheld, we will issue you with a CoP Letter automatically. If your complaint is upheld or partly upheld you can ask for a CoP Letter if you want one. You can find more information about CoP Letters and when you should expect to receive one on the [OIA page on CoP letters](#). The OIA makes public the [annual statements](#) for each HE provider.

5. Complaints arising from Coronavirus / Covid-19

The University recognises that the coronavirus pandemic has had an impact on the experience of virtually every student in FE and HE either while at the University or prior to enrolling. While many students will feel that the measures we took in response to the crisis have been reasonable in the circumstances others may feel they were more severely impacted. Taking advice from the OIA the University may continue to depart from its usual processes so that students’ concerns may be resolved as quickly as possible, in an efficient and consistent way.

If a slightly different process is followed it will still be compatible with the core principles of the OIA’s Good Practice Framework: Accessibility, Clarity, Proportionality, Timeliness, Fairness, Independence, Confidentiality and Improving the student experience. A fair and consistent response will be made to students across the University.

The [OIA Coronavirus FAQs](#) is regularly updated and is recommended to be read before making any complaint in this area.

6. Academic Appeals

Additionally, for students, it is important to understand the difference between an appeal and a complaint, as they are treated separately by the University and are governed by different procedures.

The *OIA Good Practice Framework* in line with the UK Quality Code, states that an academic appeal is defined as: “*A request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards.*” An appeal should be lodged using the formal appeals procedure. For anyone unsure about whether to lodge an appeal or a complaint, advice should be sought from the Head of CQS or Head of HE Registry.

7. Guidance

The University aims to provide all students with a learning environment which is supportive, fair and intellectually challenging and free of discrimination and provide services in an efficient and friendly manner. The levels of service that students may expect from the University are outlined in the generic Student Handbooks and in specific course handbooks and documentation. Students are asked to raise issues as soon as possible and be reasonable and open-minded in finding a resolution.

These procedures are intended to assist students in how complaints should be pursued in general and are intended to be easy to navigate and responsive to students' needs, helping to resolve problems in an effective way.

8. Frivolous or vexatious complaints

Students will not be discriminated against or suffer any recrimination as a consequence of making a complaint. However, the University expects that individuals do not engage in making frivolous or vexatious complaints; the generally accepted meanings of these words are as follows:

- Frivolous – trivial, trifling or futile, not serious
- Vexatious – causing or tending to cause irritation or distress; not having sufficient grounds for action and seeking only to cause annoyance

Complaints that are classed as obsessive, harassing, or repetitive, with unrealistic, unreasonable outcomes or demands for redress which lack any serious purpose or value will be treated in the same way in that the University may terminate consideration of a complaint if it considers it to be frivolous or vexatious. In such cases, the University will write to the student explaining why it is terminating the complaint with the student provided with details of how to appeal against the decision. Disciplinary action may be considered if students make deliberate vexatious complaints.

9. Initial contacts

If an initial complaint is directed to the OIA, Vice-Chancellor, Registrar or the Chair of the Board of Governors, or other such office-holder, it will almost certainly be referred immediately to the HoCQS who will ensure that it enters the procedure at the appropriate point. Any staff member and in particular the Enquiries desk, Student Support or the Student Union should be able to signpost a potential complainant to the correct process or person.

10. Data Protection

Students aged 18 years and over should note that, under Data Protection legislation, the University cannot deal with third party complaints without the written permission of the student unless a third party has been formally authorised or instructed to act on a student's behalf. This includes complaints that students' parents or spouses might wish to raise. Parents/spouses are able to support a student complainant, for example by accompanying them to meetings. The University values the open relationships between staff and students in these matters and strongly encourages student complainants to raise any complaint themselves rather than through a third party.

For students under 18 years of age the University is not obliged to share information with parents but aims to establish a good, open relationship with any family member who students may have nominated as the first point of contact. Students are made aware of the nature of information sharing, and retain the right to opt out or amend this arrangement. For any complaint arising with students under 18 years of age, our aim is to continue this approach and therefore deal with both students and nominated family members as appropriate for the individual circumstances and most importantly, the student's wishes.

In some circumstances the outcome of the complaint may be subject to data protection legislation, particularly if the complaint is of a sensitive nature such as involving bullying or harassment. Data protection should not be a barrier to effective casework.

GDPR provides the [right of erasure](#) / right to be forgotten as one of its principles. However, this right is not absolute and only applies in certain circumstances. Information on complaints is retained in the University for seven years after the last correspondence. If a student wishes to have the complaint information removed as part of the right of erasure they should contact the Data Protection Officer who will address each case individually.

11. Governance

Complaints are logged and updated and monitored and reviewed on a termly basis by the Academic Board through its formal committee structure to improve University-wide services, and this is reported to the Board of Governors for scrutiny and to provide assurance that the OfS conditions are being met. All names, genders and specific programmes are anonymised in this process, reported as 'Year 2 BA(Hons) student' for example.

12. Accessibility

These procedures are available on the University website, on the Staff and Student Portals (intranet) and directly linked from the Student Handbook - with an abridged, simplified version provided in the handbook itself. If the procedures are required in larger print or hard copy please contact the Head of Compliance & Quality Systems as detailed in paragraph 12 below.

13. Online resources

[OIA Complaint Advice for Students](#)

[OIA Coronavirus FAQ for Students](#)

[OfS page on Complaints](#)

14. Contact details

The address for the University is:

Arts University Plymouth
Tavistock Place
Plymouth
PL4 8AT

Email: enquiries@aup.ac.uk

Telephone: 01752 203434

Letters for any of the staff named below should be sent to the above address.

Further contact information for email is provided below:

Position	Name	Contact email
Vice-Chancellor	Professor Paul Fieldsend-Danks	pfieldsenddanks@aup.ac.uk Stage 3 formal review only
Registrar	Mr Steve Trotter	strotter@aup.ac.uk Advice
Head of Compliance & Quality Systems	Mr Jeff Wright	jwright@aup.ac.uk Stage 2 complaints (making a formal complaint)

Document version control	
Document title:	Complaint Procedures for Students
Effective Date:	September 2022
Approving body:	ASQC, 10 May 2022
Version:	12
Supersedes:	Version 11
Previous review dates:	11 - 11 May 2021 10 - May 2020 9 - February 2020 - role title changes and reference to OfS Conditions of Registration 9 - May 2019 8 - May 2018 7 - April 2017 (Complaint Guidelines)
Next review date:	May 2022 (or as appropriate depending on University title process)
Related Statutes, Ordinances, & General Regulations	<ul style="list-style-type: none"> • The Equality Act 2010 • QAA Quality Code (Expectations for Quality) • Open University Handbook for Validated Awards • OfS Conditions of Registration • Data Protection Act 2018 / UK GDPR
Related policies:	<ul style="list-style-type: none"> • Admissions Policy • Dignity at Study Policy • Equality and Diversity Policy • Tuition Fee Refund and Compensation Policy
Related procedures	<ul style="list-style-type: none"> • Complaints from the Public Guidelines • Student Appeals Procedures (Academic Regulations) • Disciplinary Procedures for Students • Support for Study Procedure
Related information:	<ul style="list-style-type: none"> • OIA: good practice framework; Handling Complaints and Academic Appeals • OIA: good practice framework; Supporting disabled students • QAA Advice & Guidance: concerns, complaints and appeals
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