

Student Complaints Policy for all students enrolled on programmes leading to AECC awards

1. Scope and Purpose

- 1.1 This document sets out the policy under which students on AECC awards may make a complaint about programmes, services or facilities provided by the College; or actions or lack of actions by the College or its staff. It applies to all current students on AECC awards. Chiropractic students on Bournemouth University (BU) awards should refer to the AECC Student Complaints Procedure for First Qualification Chiropractic Degree Awards, available on the Virtual Learning Environment (VLE). Students on part-time MSc programmes leading to BU awards should refer to BU 11F - Student Complaints: Policy and Procedure. Recent students/graduates should refer to the relevant policy for the award they have completed.¹
- 1.2 The College is committed to the fair and equal treatment of all individuals regardless of gender, age, disability, colour, race, ethnic or national origin, socio-economic group, sexual orientation, marital status, family responsibilities, religious or political beliefs. All complaints will be considered on their merits and in accordance with the Dignity Diversity and Equality Policy. Where a student or staff member working with this policy has specific protected characteristics under the Equality Act 2010 all endeavours will be made to ensure that information is available in appropriate formats and reasonable adjustments are made to the proceedings and facilities to accommodate their needs.
- 1.3 The College defines a complaint as:
an expression of dissatisfaction by a student or students about the College's action or lack of action, or about the standard of service provided by or on behalf of the College
- 1.4 The Complaints Policy does **not** cover the following:
- Disciplinary or fitness to practise issues, including appeals against exclusion on academic or other grounds (for which separate regulations and policies exist)
 - Matters where other separate procedures apply, e.g. harassment
 - Academic appeals relating to examinations or assessments for which a separate policy applies
 - A complaint relating to admission, for which a separate policy applies
 - A complaint against the Student Union. (Complaints should be referred to the SU Manager in the first instance).
- 1.5 Not every concern raised with the College is a complaint. For example, the following are **not** complaints:
- A request for information or an explanation of policy or practice
 - A response to an invitation to provide feedback through a survey, via a student representative, through the committee system or in a focus group
 - An issue which is being, or has been, considered by a court or tribunal
 - A request under the Freedom of Information Act or Data Protection Act.
- 1.6 It is hoped that most complaints can be resolved satisfactorily on an informal basis and close to their point of origin. This policy is in place for students to follow where such informal approaches have been pursued and the student(s) making a complaint remains dissatisfied.

¹ Complaints made by recent students/graduates are subject to the timescales contained within this document.

- 1.7 Should a student raise issues relating to a complaint directly with the Principal or Vice-Principals, the Principal or Vice-Principals will not undertake any investigation but will refer the student to this policy.

2. Key Responsibilities

- 2.1 Responsibility for the management and implementation of this policy lies with the Academic Registrar.
- 2.2 Under this policy and associated procedures any College role or officeholder or officer of the Student Union may act through her or his appointed nominee.
- 2.3 Where members of the Student Union have a role as a panel member in any proceedings under this policy their role is as a full member of the panel and to play a full part in determining the case and not to act as an advocate for the student making the complaint.
- 2.4 Academic Development and Quality Committee considers the effectiveness of the arrangements for student complaints and recommends changes to current policy to Academic Board via the Academic Audit Committee (AAC).
- 2.5 Academic Board approves new policies or amendments to existing policies relating to student complaints.

3. Introduction and context

- 3.1 The College's Student Charter, the Student Agreement and the policies and procedures described within outline the expectations and responsibilities for students and staff and provide the framework for the student's learning experience.
- 3.2 As part of our commitment to ensuring the quality and standards of our programmes and services, we will seek to ensure that complaints are dealt with constructively, promptly and efficiently. Every reasonable effort will be made to investigate them thoroughly and objectively and to seek to resolve them satisfactorily. If a complaint is upheld, the College will seek to provide a reasonable and appropriate response, will correct any mistakes or misunderstandings and will take any other action as appropriate. However, students should not expect that consideration of a complaint will always produce their preferred outcome. If a complaint is not upheld then reasons for the decision will be given.
- 3.3 No student raising a complaint under this procedure, regardless of the outcome, will be treated less favourably than if he or she had not made the complaint.
- 3.4 The College is committed to providing a safe working environment for staff, and staff have the same rights as students to be heard and respected. Unacceptable behaviour by any student using the complaints procedure will not be tolerated. When the actions or behaviour of a student making a complaint is unacceptable they will be told why this is the case and given the opportunity to modify their actions or behaviour. Should the unacceptable actions or behaviour continue, action may be taken against the student under the student disciplinary policy.
- 3.5 The College will treat all complaints seriously and will deal with them without recrimination. Where, however, a complaint is shown to be vexatious or motivated by malice, the College may reject a complaint. Examples of complaints which may be judged to be vexatious or motivated by malice include:
 - complaints which are obsessive, harassing or repetitive
 - insistence on pursuing non-meritorious complaints and/or unreasonable outcomes
 - insistence on pursuing meritorious complaints in an unreasonable manner
 - complaints which are designed to cause disruption or annoyance
 - demands for redress which lack any serious purpose or value.

- If a student's complaint is considered vexatious or motivated by malice, action may be taken against the student under the student disciplinary procedures.
- 3.6 The time limits set out in this Policy will normally be followed. However, where, for good reason, this is not possible, all parties will be kept informed of progress.
- 3.7 All complaints will be dealt with in confidence with the proviso that an individual or individuals against whom a complaint is made normally has the right to be supplied with a written copy of the complaint and given an opportunity to respond.
- 3.8 The effectiveness of the complaints policy depends on the College being able to collect appropriate information from all parties involved, in order to investigate the matter properly. For this reason anonymous complaints will not be dealt with under this Policy. It is at the discretion of the appropriate member of staff as to how an anonymous complaint is handled.
- 3.9 Students seeking help in using this policy, or if they are uncertain as to whom their complaint should be referred, may seek advice from any of the following:
- The Academic Registrar
 - The Head of the relevant Programmes Office
 - The Student Union Manager
 - A Student Union Officer.
- 3.10 **Third party complaints:** As independent adults responsible for their own learning, students are expected to make their own representations within this policy. No investigation of a complaint made on behalf of a student will be undertaken without that student's written agreement to that person acting on their behalf. This includes complaints made by the parent(s) or partner of the student concerned.
- 3.11 **Group complaints:** Where the issues raised affect a number of students affected students may submit a 'group complaint'. Each member of the group must be able to demonstrate that s/he has been personally affected by the matter which is the subject of the complaint. In such a case the students must nominate one individual to act as the group representative, and all affected students must agree in writing to the spokesperson acting on her/his behalf. Correspondence will be directed to that named individual.
- 3.12 **Right of Representation:** Where any meetings are held in connection with investigations of complaints under this policy any student or staff member invited to such a meeting may be accompanied by a representative or friend (who may not act in a legal capacity) for support or representation as appropriate.
- 3.13 The AECC student complaints policy and procedure is an internal policy and procedure and not a legal process. AECC does not normally use legal professionals in the handling of cases, and therefore it is not expected that students would be required to do so either. As such the engagement of legal professionals by students in relation to complaints is not normally permitted, and would be allowed only in exceptional circumstances, in discussion with the Academic Registrar.

4. Informal discussions

- 4.1 It is hoped that most complaints can be resolved satisfactorily on an informal basis and close to their point of origin. The student should raise their concern with an appropriate member of the programme team or an appropriate member of the relevant service department in the first instance, either in person or via email. If the student feels uncomfortable about this they may seek advice from their Student Union year representative, a Student Union Officer, the Student Union Manager or the Head of the relevant Programmes Office.

- 4.2 The person(s) with whom the complaint is raised will consider the issues presented and should respond to the student within **ten working days** of the complaint being raised. The response should be given either in person or via email. If the former, staff are advised to keep a written note of the response given. The person can ask for the student to provide supporting or independent evidence, but will not normally conduct a formal investigation. If an immediate resolution cannot be reached then the person investigating should write to the student to explain what has happened.
- 4.3 Where the subject of the complaint is of a general nature it might be more appropriate for the student to raise the matter with a student representative on the relevant programme committee, or via the Student:Staff Liaison Subcommittee. If this does not resolve the issue the student may pursue a Stage 1 complaint, following the procedure below.

5. Formal procedure Stage One

- 5.1 If the concern cannot be resolved or clarified by this informal discussion, the student should submit the complaint in writing to the Framework/Programme Leader or the Head of the relevant service department). If the complaint relates to the Framework/Programme Leader or the Head of a Service Department the student should submit the complaint to the Academic Registrar, highlighting that the complaint is made as a Stage One complaint. The Academic Registrar will identify an appropriate person to conduct the Stage One investigation.
- 5.2 The written complaint should set out briefly:
- the nature of the complaint;
 - the informal steps already taken together with full details of the response received;
 - a statement setting out why the complainant remains dissatisfied.
- 5.3 To enable the complaint to be investigated the student should provide relevant evidence, which should be as detailed as possible. The evidence that may be provided will vary according to the substance of the complaint but might include:
- e-mails and/or letters from staff sent to the student(s);
 - statements from witnesses to the situation upon which the complaint is based;
 - minutes of relevant meetings and/or committees;
 - any other information relevant to the case sent to the student(s) or made available on the Virtual Learning Environment (VLE).

If the complaint is of a more general nature, specific documentary evidence may not be available. In this situation the student(s) should make clear reference in their complaint to the nature of the complaint, when it occurred and who was involved and as much other relevant information as they can to support the complaint. If there is little or no evidence to support a complaint it may be difficult to investigate it fully and reach a satisfactory conclusion.

- 5.4 The Framework/Programme Leader or the Head of the relevant service department will investigate the matter in consultation with relevant colleagues and notify the student of the outcome in writing, normally within **10 working days** of the date of the receipt of the written complaint.

If the student is asked to supply further information, this must be supplied within **10 working days** or the student can request additional time and provide an explanation of the reason for the delay. If the student does not adhere to the deadlines nor request more time, it will be assumed that they no longer wish to pursue the complaint. The Academic Registrar will have reasonable discretion when considering requests for more time and will confirm to the student whether an extension is granted in writing. The investigating officer will respond normally within **10 working days** of the date of the receipt of the additional information.

5.5 Where the issues raised are complex and will require detailed investigation, for example where a complaint relates to the conduct of staff members or covers a number of different incidents, or where issues are of a highly sensitive nature, the Framework/Programme Leader or the Head of the relevant service department) may, in consultation with the Academic Registrar, agree that it would be more appropriate for the matter to be handled as a Stage Two complaint rather than undertake an initial investigation. Where this applies the student will be informed accordingly and asked to complete a Stage Two complaints form.

6. **Formal Procedure Stage Two**

6.1 If, having pursued the matter under Stage One, the student is dissatisfied with the response he/she may refer the matter formally in writing to the Academic Registrar using the Stage Two complaints form and enclosing the relevant evidence. If the Academic Registrar is the subject of the complaint, the student should write to the Executive Director of Administration.

6.2 The student should initiate Stage Two **within 10 working days** of the completion of Stage One.

6.3 Receipt of the complaint will be acknowledged in writing within **5 working days** by the Academic Registrar who will undertake an initial check that the complaint is submitted under the right procedures, within any deadline, and in the required format, and that the student has taken reasonable steps to follow the procedure for Stage One, set out in section 5 above. If the complaint is not within the scope of the policy, the Academic Registrar will communicate this to the student in writing and provide the reasons for this decision. The written communication of the decision will also explain that the student may opt to proceed to the review stage, and the grounds on which a review may be considered, and will make clear that if the student does not consider that they have grounds to proceed to the further stage, or does not do so within the stated timescale, then the College will close the matter and issue a Completion of Procedures Letter if the student so requests.

6.4 If a complaint is within the scope of the policy, the Academic Registrar will specify a person or persons within the College independent of the source of the complaint to carry out an investigation. The Investigator shall be a senior member of the College, unconnected with the substance of the complaint. The Academic Registrar will inform all parties named in the complaint of the identity of the Investigator. The Academic Registrar will also appoint a suitable person to provide administrative support for the Investigator, including assistance with writing the report, if such assistance is required.

If the student is asked to supply further information, this must be supplied within **10 working days** or the student can request additional time and provide an explanation of the reason for the delay. If the student does not adhere to the deadlines nor request more time, it will be assumed that they no longer wish to pursue the complaint. The Academic Registrar will have reasonable discretion when considering requests for more time and will confirm to the student whether an extension is granted in writing. The investigating officer will respond normally within **15 working days** of the date of the receipt of the additional information.

6.5 The Investigator(s) may seek to resolve the issue on the basis of the documentation, or may alternatively, at his/her discretion, ask the Academic Registrar to call a hearing at which the student and any other persons involved may submit their respective cases. Such a hearing shall normally be chaired by the investigator and comprise two other senior members of the College community. The Academic Registrar shall be in attendance to keep a record of proceedings. The complainant and any person who is the subject of the complaint may each be accompanied at any such hearing by another member of the College community.

6.6 After taking the steps set out in paragraph 6.5, above the Investigator shall write a report including a recommended course of action, and submit this to the Academic Registrar.

- 6.7 The Academic Registrar shall give a response to all parties, normally within **15 working days** following receipt of the complaint.
- 6.8 The written communication of the decision will also explain that the student may opt to proceed to the review stage, and the grounds on which a review may be considered, and will make clear that if the student does not consider that they have grounds to proceed to the further stage, or does not do so within the stated timescale then the College will close the matter and issue a Completion of Procedures Letter if the student so requests. A Completion of Procedures letter issued at this stage will explain that the student has not completed the College's internal processes.

7. Formal Procedure Stage Three: Complaint Review

- 7.1 The stages of the Procedures set out above have been established to ensure a full and fair investigation of a student's complaint and that it is dealt with thoroughly and objectively. If, however, a student believes that their complaint has not been handled properly or fairly in accordance with this Policy he/she may request a review.
- 7.2 A complaint must have been considered at Stage Two before it can be escalated to the Stage Three (Complaint review stage). No new complaints may be introduced at Stage Three.
- 7.3 To request a review the student should write to the Principal, using the Stage Three complaint form normally **within 10 working days** of the notification of the decision at Stage Two.
- 7.4 The grounds under which a student may request a review are:
- procedural irregularity in the conduct of the complaint procedures
 - new evidence is available which was not available at the time of the investigation during Stage Two
 - that the decision and outcome of the Stage Two complaint were unreasonable in the light of the evidence provided.
- Dissatisfaction with the outcome of the complaint investigation shall not in itself constitute an acceptable reason for review.
- 7.5 The review will be conducted by the Principal and a Student Union Officer nominated by the Student Union.
- 7.6 The Principal and the SU Officer shall consider the circumstances of the case on the basis of the documentation taking such advice as they deem necessary. Stage Three will normally be conducted on the basis of the evidence submitted by the student, and all previous documentation in connection with the complaint. It will not normally consider issues afresh, except where new evidence is presented.
- 7.7 If new evidence is presented by the student, and the Principal and the SU Officer accept the reasons for non-presentation previously, the Principal will refer the matter back to the original Investigator to reconsider. In this case the Investigator will also seek further information from the staff members involved. The Investigator will report back to the Principal, for a final decision to be taken on the review, within **10 working days**.
- 7.8 The Principal and the SU Officer may:
- uphold the review and decide upon an appropriate resolution
 - uphold part, but not all, of the review request and decide upon an appropriate resolution
 - dismiss the request if they are of the view that it was unfounded or that the response at Stage 2 was appropriate.

- 7.9 In all cases the Principal will provide the student, the Stage Two Investigator and other parties to the complaint with written explanation of the decision within 10 working days of the receipt of the request for a review.
- 7.10 This decision shall be final and no further appeal is permitted. The Principal will ask the Academic Registrar to issue a Completion of Procedures letter.
- 7.11 The Principal shall ensure that any appropriate action following the review is taken.

8. Completion of Procedures

- 8.1 Once the complaints procedure has been exhausted, the Academic Registrar will issue the student with a 'Completion of Procedures' letter, which confirms that the College's internal procedures are completed.

9. Referral to the Office of the Independent Adjudicator (Not applicable to students on the Access Diploma)

- 9.1 If, after exhausting the internal procedures the student remains dissatisfied, s/he may refer their case to the OIA. Students wishing to make a case to the OIA must do so within 12 months of the date of the Completion of Procedures letter using the OIA complaint form. Further information is available from the OIA website <http://oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx>. Students may also contact the OIA by post or telephone and request to be sent a form. The OIA will determine whether the student's case is eligible for consideration under its rules.

Contact details for the Independent Adjudicator are:

Office of the Independent Adjudicator

5th Floor

Thames Tower Reading

Berkshire

RG1 1LX

Tel: 01189 599813

Email: enquiries@oiahe.org.uk

10. Monitoring and review of complaints

- 10.1 The Academic Registrar will prepare an annual review of student complaints across all awards. This annual review will be considered by Academic Development and Quality Committee and Academic Board, with a view to identifying any trends and whether there is a need to revise any policy or practices. This will include both academic and services issues complaints. This report will not refer to individuals by name.

11. Links to other AECC documents

- Student Charter
- Student Agreement
- Dignity Diversity and Equality Policy
- Student Disciplinary Policy and Procedures for all students enrolled on programmes leading to AECC Awards
- Student Fitness to Practise Regulations for BSc/MSc and MChiro Students enrolled on programmes leading to AECC awards
- Academic Appeals Policy for all students on Higher Education programmes leading to AECC

awards

- Recruitment, Selection and Admissions - Appeals and Complaints: Policy and Procedure

All the above documents are available on the VLE for students and on the Staff Information Portal (SIP) for staff.

Version:	1.1
Ratified by:	Academic Board
Originator/Author	Quality and Enhancement Manager
Policy Owner	Academic Registrar
Reference source	The Expectation and Indicators of sound practice set out in the Quality Assurance Agency (QAA)'s UK Quality Code, Part B, Chapter B9: OIA: The good practice framework for handling complaints and academic appeals December 2014 OIA Guidance Note regarding Completion of Procedures Letters (March 2013) Examples from other institutions used as source material (in particular Bournemouth University, University of Southampton, University of Central Lancashire)
Date approved	22 March 2017
Effective from	01 September 2017
Review date	Spring 2019
Target	All staff and all BSc/MSc and MChiro Students enrolled on programmes leading to AECC awards
Policy location	SIP/VLE, public website
Equality analysis	No direct impact. The policy provides for reasonable adjustments to be made, where appropriate, for students with specific protected characteristics under the Equality Act 2010. Monitoring will be undertaken to assess whether there is any differential impact in the raising and handling of complaints.