

# **University of Plymouth**

## **Student Complaints**

### **Procedure**

**2023**

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## 1.0 Introduction

The BCNO is committed to ensuring that students have the opportunity to raise complaints without risk of disadvantage or recrimination. Each case will be considered on its own merits and in accordance with the BCNO policies and procedures, with regard to the evidence and circumstances presented. Complaints will be treated constructively and promptly with fairness and consistency. BCNO welcomes all feedback, both positive and negative, and considers complaints to be a valuable source of information enabling us to improve services and enhance the student experience. BCNO's Student Complaints Procedure is in keeping with **The Good Practice Framework: handling student complaints and academic appeals** published by the Office of the Independent Adjudicator (OIA) and **UK Quality Code for Higher Education – Advice and Guidance: Concerns, Complaints and Appeals** published by the QAA.

Students can obtain free, independent, and confidential advice and support about a complaint from the Students' Union/Association.

## 2.0 Should you raise a concern and make a complaint?

For the purpose of this procedure, a student complaint is defined as an expression of dissatisfaction by one or more students about BCNO's, action or lack of action, or about the standard of service provided by or on behalf of the University. Raising a complaint under this procedure may not be the best, most appropriate or quickest way to deal with a problem. Before raising a concern or a complaint under this procedure please consider the questions below and the alternative routes available for raising a complaint.

## 3.0 Are you dissatisfied with aspects of your course?

Issues or problems can be raised directly with the module leader, your personal tutor, programme leader or Head of Department or at Programme Committees, and Student Engagement meetings by your course representative.

Consult with the Student Students' Union/Association who can signpost and advise on who to raise your complaint with.

## 4.0 Are you dissatisfied with a decision made by an Award Assessment Board?

Dissatisfaction with Award Assessment Board decisions, e.g. progression from stage to stage; withdrawal on academic grounds; degree classification; decisions of Academic Offences Panels, etc., should be submitted as an [academic appeal for University of Plymouth](#).

If you submit an appeal which incorporates a complaint, your complaint will be investigated and concluded before your appeal is considered.

### **Is your complaint about alleged misconduct or harassment either by another student or a member of staff?**

You should normally approach the Programme Lead or, in their absence, another appropriate senior member of staff.

If the complaint relates to the misconduct or behaviour of a student, or bullying and harassment by a student, then the matter will be investigated using the [Student Code of Conduct and Disciplinary Procedure](#).

If the complaint relates to the misconduct or behaviour of a member of staff, or bullying and harassment by a member of staff, then the matter will be investigated using the BCNO's Disciplinary Policy and Procedure for staff.

BCNO takes a zero-tolerance approach to incidents of bullying and harassment, and the [Dignity and Respect Policy](#) outlines the approach to tackling any behaviours which undermine a person's dignity.

### **What issues can and cannot be considered under the BCNO's Complaints Procedure?**

<b>Issues that can be considered under the Student Complaints Procedure</b>	<b>Issues that cannot be considered under the Student Complaints Procedure</b>
Aspects of your learning and teaching experience, including supervision	Any academic decision taken by an assessment board, or the examiners assessed milestones
Service issues (if you are a student at a partner institution then complaints about partner service issues should be directed to the partner institution)	Admissions decisions
Facilities issues	Complaints about bullying and harassment (see above)
	Private accommodation arrangements
	Student conduct (see above)

*Please note, this is not exhaustive.*

## **5.0 Who can raise a complaint using this procedure?**

All students currently registered on a University of Plymouth award can make a complaint under this procedure. Former students may raise a complaint under this policy within 40 University working days after they ceased to be a registered student at the University or partner institution. BCNO expects students to raise the complaint themselves and only in exceptional situations, can you ask a supporter or relative to raise a complaint on your behalf. In such cases you must give your express written consent for someone to raise a complaint on your behalf. Students can submit a group concern or complaint.

BCNO is a partner institution, you should follow the University's Student Complaints Procedure if you have a complaint about teaching and learning of your programme. You should ensure that you fully engage with the Early Resolution Stage of this procedure as

the University will require evidence that you have done this if you escalate to the Formal Stage. Please note that under Office of the Independent Adjudicator (OIA) rules, the University cannot consider complaints about service issues (facilities, resources etc.) at BCNO. Complaints about service issues in partner institutions such as BCNO should be raised through the partner institution's internal complaints procedure.

You cannot normally make an anonymous complaint as doing so can impede the investigation and communication of the outcome. BCNO may exceptionally decide to consider an anonymous complaint if there is a compelling case, supported by evidence, for the matter to be investigated.

BCNO and the University will always treat your concern or complaint with appropriate sensitivity. The personal information we ask you to provide will enable us to fully investigate your complaint. All personal data collected in this way will be processed in accordance with current data protection legislation and will normally only be used for this purpose. Information will normally be disclosed only to those who need to see it for the purposes of dealing with your complaint. Further information can be found in the BCNO's full Student Privacy Notice.

If you are still uncertain about how to raise a concern or whether you can make a complaint, please contact the Complaints and Appeals Team for advice [complaints@plymouth.ac.uk](mailto:complaints@plymouth.ac.uk) for University of Plymouth.

## **6.0 How to raise a complaint**

There are three stages to the BCNO's Student Complaints Procedure:

The first thing you should do is raise your complaint at the **Early Resolution Stage** – your complaint can often be dealt with quickly and informally.

If we cannot resolve your complaint informally, you can submit it as a formal complaint.

Once you have received the BCNO's response to your formal complaint, in specific circumstances, you can ask for a review.

## **7.0 Early Resolution Stage: What you need to do**

Decide who it would be best to raise your complaint with – that could be your module leader, personal tutor, programme leader, Head of Department or a member of the Senior Management Team or alternatively raise your concern, preferably in writing, with your Registry Team. The complaint will then be referred to the appropriate member of staff (for example, a Programme Lead or Head of Department). Please note that you will be required to provide evidence of completing the Early Resolution Stage if you want to make a formal complaint.

- Your concern may relate to a service or facility not directly provided by any of the above i.e., Estates, Student Services or the Library. In such circumstances, please

raise your concern via the Registry team. Your email will be directed to the appropriate area for a response.

- Raise the complaint as soon as your concern arises (and no later than 40 BCNO working days of the concern arising).
- When raising your complaint make clear your preferred outcome.
- You may be asked to attend a face-to-face meeting, which may take place as an online meeting, with the person considering your complaint, where the circumstances make this appropriate. You are entitled to bring a member of the BCNO community or representative of the Students' Union/Association to the meeting for support. You will not be entitled to bring a legal representative to the meeting. Normally, consideration of your complaint will be by correspondence and written evidence only.
- You can take advice from the Students' Union/Association at any stage of the process.

## **8.0 Early Resolution Stage: What can you expect?**

If you raise your complaint via email you will receive an acknowledgment normally within five working days with details of who will be dealing with your complaint.

The member of staff dealing with your complaint will either provide a written response to your email or offer to meet you to discuss your complaint normally within 10 working days of your receipt of the acknowledgment. You can request a meeting to discuss the complaint further following a written response.

If the response is likely to be delayed, you will be told why.

If you attend a meeting to discuss your complaint, the member of staff dealing with your complaint will send you a brief summary of the discussion, including the proposed resolution, normally within five working days of the meeting. If you don't agree with the summary, you can submit your own summary of the meeting, within five working days of receiving the summary, to be included in the case file.

## **9.0 The Formal Stage**

If you are dissatisfied with the proposed resolution at the Early Resolution Stage, you can escalate to the Formal Stage. You must provide evidence confirming that the matter has been raised via the Early Resolution stage. A formal complaint will not normally be accepted without evidence of completion of the Early Resolution Stage, unless you can either demonstrate exceptional reasons as to why you have been unable to engage with the Early Resolution Stage of the process, or where early resolution is not possible or suitable due to the character, complexity, or seriousness of the case.

## **10.0 The Formal Stage: What you need to do**

You must complete the [Formal Complaint Form](#) and submit it, with all supporting evidence, within 10 working days of receiving the response following the Early Resolution Stage. If you feel you need to submit your complaint in an alternative format, the University/BCNO will consider on a case-by-case basis whether reasonable adjustments can be made to take account of the individual needs of students.

You must explain how you have attempted to resolve your complaint at the Early Resolution Stage and why you remain dissatisfied.

You must raise all matters of complaint and submit all supporting evidence at this stage, as you will not be able to raise new matters at the Review Stage. Additional evidence will not be permitted at the Review Stage unless you can demonstrate exceptional reasons why the evidence/information was not available at the Formal Complaint Stage.

You can take advice from the Students' Union/Association, at any stage of the process.

## **11.0 The Formal Stage: What can you expect**

You will receive an acknowledgement of your complaint from the Complaints and Appeals Team within five working days.

As you are studying at a partner institution, your complaint will be directed to the Partnerships Operations Manager in Academic Partnerships, who will send it to an appropriate member of staff in the partner institution.

The member of staff investigating your formal complaint will not normally have been involved in your complaint at the Early Resolution Stage.

You will receive an acknowledgement from the member of staff investigating your complaint normally within five working days of them receiving it.

The person investigating your complaint will consider your formal complaint form, any supporting evidence you have included with it and gather any further information they require. This may include discussing your complaint with any individual directly concerned with the complaint you have raised.

Normally, consideration of your complaint will be by correspondence and written evidence only. You may, however, be asked to attend a face-to-face meeting, which may be an online meeting, with the member of staff investigating your complaint where issues are particularly complex, and a meeting would provide a better understanding of the issues being raised. You are entitled to bring a member of the BCNO community or representative of Union to the meeting for support. You will not be entitled to bring a legal representative to the meeting. You will normally receive five working days' notice of the date of the meeting.

Where you attend a meeting to discuss your complaint you will receive a summary of the meeting normally within five working days. If you don't agree with the summary you can submit your own summary of the meeting within five working days of receiving the summary, to be included in the case file.

You will receive the written response to your formal complaint via email, normally within 20 working days from the acknowledgement from the member of staff investigating your complaint. This will include the outcome of the investigation and what, if any, action will be taken.

If you submit your complaint directly to the Vice-Chancellor, Deputy Vice-Chancellor, other senior manager, or a member of the Board of Governors, it will be referred to the University's Complaints and Appeals Team so the University's procedure, as detailed above, can be followed. This will likely lead to a delay in your complaint being considered by the appropriate member of staff.

## **12.0 Review Stage**

For If you are dissatisfied with the response at the Formal Stage, you may submit a request for review to the University's Complaints and Appeals Team.

Requests for review will only be accepted if you are able to demonstrate at least one of the following criteria:

- That the response to your formal complaint failed to address all the issues raised.
- That the response to your formal complaint failed to consider all the evidence submitted.
- That there is evidence of bias and/or prejudice in the consideration of the complaint.
- That a procedural irregularity occurred in the consideration of your formal complaint.
- That any remedy offered is unreasonable in all the circumstances.

Being unhappy with the University's response at the Formal Stage is not sufficient grounds for the matter to be considered for review.

You will not be able to raise new matters at the Review Stage. Additional evidence will not be permitted at this Stage unless you can demonstrate exceptional reasons why the evidence/information was not available at the Formal Stage.



### **13.0 Review Stage: What you need to do**

Consider whether your request meets the criteria for review as detailed above.

Complete a [Request for Review Form](#) within 10 working days of the date of the University's response to your complaint. Please contact [complaints@plymouth.ac.uk](mailto:complaints@plymouth.ac.uk) if you feel you need to submit your complaint in an alternative format. The University will consider on a case-by-case basis whether reasonable adjustments can be made to take account of the individual needs of students.

### **14.0 Review Stage: What you can expect**

The Complaints and Appeals Team will assess your request for review using the criteria detailed above. Their decision as to whether or not to accept your request for review is the University's final decision.

You will receive a response to your request for review normally within 10 University working days of submitting your form to the Complaints and Appeals Team.

If your request for review is accepted, your complaint will return to the Formal Stage and be considered by a member of staff not involved in the investigation of your formal complaint. If you remain dissatisfied, you may not request a second review of the same complaint. You should request a Completion of Procedures letter from the Complaints and Appeals Team within 10 working days of the final response to your complaint. This means that the University's internal procedures for dealing with your complaint have been exhausted and as set out in Section 17 below may refer your complaint to the Office of the Independent Adjudicator.

If your request for review is rejected, you will receive a Completion of Procedures letter (within 10 working days of submitting your Request for Review Form). This means that the University's internal procedures for dealing with your complaint have been exhausted and as set out below may refer your complaint to the Office of the Independent Adjudicator.

### **15.0 What are the timeframes for making complaints?**

You should raise a complaint under the Early Resolution Stage as soon as the issue arises, and normally within 40 working days.

Complaints submitted more than 40 working days after the issue(s) occurred will be considered only in exceptional circumstances. Exceptional circumstances are those in which you are able to demonstrate good reason for not submitting the complaint earlier. The decision not to accept a late complaint is the final decision of the University.

A series of issues may compound themselves resulting in a complaint, the first of which may have taken place more than 40 working days before the complaint is submitted.

In instances such as these, the investigating staff member will only consider matters which are relevant to the complaint being made.

If you wish to escalate your complaint to the Formal Stage, you must submit your [formal complaint form](#) within 10 working days of receiving a response at the Early Resolution Stage.

Requests for review must be submitted within 10 working days of receiving a response at the Formal Stage.

## **16.0 How long does the complaints process take?**

The University/BCNO endeavours to respond to all complaints as soon as possible. Normally the Student Complaints Procedure will be completed within 90 calendar days from the date that a formal complaint is submitted, in accordance with guidance from the Office of the Independent Adjudicator. If a complaint is complex it may take longer than 90 days and in these circumstances you will be advised accordingly and provided with updates on the progress of the complaint.

## **17.0 External Review: Office of the Independent Adjudicator for Higher Education**

Once you have completed the University's/BCNO's internal procedures, if you remain dissatisfied with the outcome you may refer your complaint to the Office of the Independent Adjudicator (OIA). This must be done within 12 months of the date of the Completion of Procedures letter you will receive once you have completed the University's internal procedures.

Further information is available via [the OIA](#).

## **18.0 Vexatious Complaints**

The University/BCNO understands that if a student makes a complaint, then it is a concern to them, whatever others might think. We are committed to dealing with all complaints transparently, fairly, and in line with our published procedures. However, we may terminate consideration of your complaint if we consider it to be vexatious or frivolous.

Examples of such complaints are:

- complaints which are obsessive, harassing, or repetitive
- insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes
- insistence on pursuing complaints in an unreasonable manner

- complaints which are designed to cause disruption or annoyance
- demands for redress which lack any serious purpose or value

Should we deem your complaint to be vexatious or frivolous we will write to you and explain why we are terminating consideration of your complaint.

If you wish to challenge the decision then you should email [complaints@plymouth.ac.uk](mailto:complaints@plymouth.ac.uk), within 10 working days of us terminating your complaint to request the decision is reconsidered and explain why the decision should be reconsidered.

The Complaints and Appeals Team will then arrange for a senior member of Staff, or nominee, to consider your request.

Should your request be accepted, the member of staff or nominee, will instruct that your complaint is reviewed by a different department or Faculty.

Should your request not be accepted you will be issued with a Completion of Procedures letter.

## Auditing

Policy Name:	UoP Student Complaints Procedure		
Policy Owner:	BCNO Senior Management Team		
Policy Approver:	Academic Board		
Audience:	Students; Faculty; Staff		
Storage Location:	Website, VLE		
Effective Date:	11.2023		
Review Date: <small>(Unless other revisions are required prior to this date)</small>	08.2024		
Version:	Approved version 1.1		
Equality Impact Assessment:	Are there any implications for a protected characteristic group as defined by the Equality Act 2010 in this policy?		
	<input type="checkbox"/> Positive Impact	<input type="checkbox"/> Negative Impact	<input checked="" type="checkbox"/> Neutral
Details:			

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