

# Higher Education Complaints Process 2022

APPROVED BY (PM's HE Academic Board Sept 2022)

Applies to:	
Harrogate College	
Keighley College	
Leeds City College	
Leeds Conservatoire	
White Rose Academies Trust	
University Centre Leeds	x

## CHANGE CONTROL

<b>Version:</b>	3	
<b>Approved by:</b>	HE Committee, HE Academic Board & LCC Policy Panel.	
<b>Date approved:</b>	August 2021	
<b>Name of author:</b>	Dean of Higher Education	
<b>Name of responsible committee:</b>	Higher Education	
<b>Related policies: (list)</b>	Complaints Policy	
<b>Equality impact assessment completed</b>	<b>Date:</b>	September 2022
	<b>Assessment type</b>	
	<input type="checkbox"/> Full	
	<input type="checkbox"/> Part	
	<input checked="" type="checkbox"/> Not required	
<b>Policy will be communicated via:</b>		
<b>Next review date:</b>	August 2025	

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## 1. Introduction

The underpinning purpose of this process and associated policy is to ensure that University Centre Leeds is providing the highest quality services and facilities to its Higher Education learners and stakeholders. It is our intention that students will experience this throughout their time at University Centre Leeds, however if there are areas of our provision which are of concern this document will outline the process that needs to be followed to raise this concern or complaint. The following principles apply to this process:

- The active promotion of equality of opportunity throughout University Centre Leeds Higher Education activities and the learning experience;
- The provision of an open and transparent process;
- The timely resolution of complaints in a fair and equitable manner;
- The assurance that students will not be disadvantaged once a complaint has been reported;
- Continuous service improvement as part of the University Centre Leeds HE Quality processes.

## 2. Compliance with Regulations

All complaints shall be conducted in accordance with this process and the expectations set out in the Revised UK Quality Code for Higher Education: Concerns, Complaints and Appeals (Nov 2018)<sup>1</sup> and the guidance set out in the OIA Good Practice Framework for Handling Complaints and Academic Appeals (2014)<sup>2</sup> as embodied in the regulations approved by the Leeds City College Governing Body, and shall seek to uphold the principles of fairness, consistency, equity and equal opportunities.

The handling of all complaints should normally be completed within **90** days of the start of the formal stage, in accordance with the OIA guidelines.

## 3. Impartiality of Decision-Makers

In order to ensure impartiality in the dealing of complaints no person shall be permitted to take part in the making of a decision regarding a complaint where they have an interest through being a member of the same academic department in which the complainant is registered.

## 4. Complaints

This process relates to concerns and complaints by learners, parents, employers and members of the public. University Centre Leeds welcomes comments and suggestions for the improvement of its services. In particular, University Centre Leeds has established a variety of mechanisms to ensure that learners and employers (where appropriate) have the opportunity to take part in the decision-making processes at course/programme level. It is hoped and expected that learners and employers will take full advantage of these and consider addressing comments and suggestions to an appropriate member of staff, for example course manager, module tutor, head of department/ School etc. In such instances University Centre Leeds welcomes and encourages approaches designed to bring about an informal resolution.

This process can be applied by the complainant themselves, or by a nominated representative.

Whilst University Centre Leeds will endeavour to investigate and address any issues raised anonymously as far as it is possible to do so, such issues are not covered by the provisions of these processes.

This process does not apply to Academic Appeals. Within the context of University Centre Leeds Higher Education provision Academic Appeals are defined as:

- A request that is made to review a decision that has been made in relation to the progress of the appellant on their programme of study, including the award of any qualification as a result of that progress.

If a student submits an Academic Appeal Application concurrently with an application under the Complaints Procedure, the application under the Complaints Procedure will be stayed until the conclusion of the Academic Appeal Application.

## **5. Privacy, Confidentiality and Data Protection**

All evidence submitted by a complainant in support of a complaint should be treated with respect for the privacy of the complainant and should be confidential to those members of staff concerned with the matters raised in the complaint.

Any member of staff involved with an appeal in any capacity will ensure that the General Data Protection Regulation 2018 is always complied with.

## **6. Fair Treatment**

No individual raising a complaint under this process, whether successfully or otherwise, will be treated less favourably by any member of staff than if the complaint had not been brought. All staff involved in handling any stages of a complaint have a duty to ensure that any decision they make regarding assessment of evidence, or the way a student is treated, must not be influenced by the raising of a complaint. If evidence to the contrary is found, the member of staff may be subject to action under the Staff Disciplinary Procedure.

Where an individual believes that consideration of a complaint is likely to affect the relationship between a student and a member of staff, all parties will be expected to continue that relationship in a professional manner. Only in exceptional circumstances will the Dean of Higher Education consider agreeing to a request for alternative working arrangements whilst the complaint is being investigated.

## **7. Advice and Guidance**

Individuals can obtain advice on this process from several sources. In particular, a Guidance Officer or representative from the Students' Union can provide advice, independent of the College, including assistance in submitting a complaint. Staff can seek advice and support on understanding the process from the Higher Education Department (HEDO).

The Higher Education Development Office (HEDO) can only provide advice to students and staff on the operation of this process.

Academic staff will not be able to provide advice to students on individual complaints.

## 8. Complaints Procedure

For current and ex-students and parents/carers/guardians.

To enable swift investigation and resolution, complaints should be raised as soon as is practically possible, and within **no more than 30 days** of the occurrence.

## 9. Stage 1 – Early Resolution Stage

- If an individual considers that they may have grounds for a complaint relating to services provided by University Centre Leeds they are normally expected to, in the first instance, attempt to obtain informal resolution of the case by raising their concerns with either the person or department responsible.
- All staff should take appropriate and immediate action (contact within **10 days**) in response to a concern/complaint raise. Every effort should be made to establish all the relevant facts and secure an immediate resolution to the problem. This should be achieved within **20 days**.

If the complaint is against a member of staff whose behaviour suggests discrimination based on race, gender, age, disability, sexual orientation, religion or belief, gender identity or any other protected characteristic covered by the Equality Act 2010, then the complaint should progress straight to Stage 2 and the Dean of Higher Education must notify the HR department immediately.

**Important** - Both staff and the complainant should keep a written record of the complaint/concern, which may well be requested and used as evidence in any subsequent complaints investigation, should there be any further escalation by the complainant. A copy of this record must be forwarded to HEDO.

## 10. Stage 2 - Formal Stage

If the concern/complaint is not resolved at Stage 1, the complainant can progress the issue(s) to the next stage of the procedure. This should be done within **10 days** of the outcome of Stage 1.

The complainant should contact the HE Registry by email on [HEQuality@ucl Leeds.ac.uk](mailto:HEQuality@ucl Leeds.ac.uk) identifying the nature of the complaint and the steps taken to try and resolve this issue.

Any concerns/complaints received against an individual will be treated confidentially. The complainant will receive a response within **10 days**, detailing how the named manager plans to investigate the matter and an anticipated date for the outcome of the investigation. If there has been no attempt to resolve the matter informally, the complaint will be referred to the relevant Head of Department for investigation and to attempt to resolve the issue.

**Important** - Both staff and the complainant should keep a written record of the complaint/concern, which may well be requested and used as evidence in any subsequent complaints investigation, should there be any further escalation by the complainant.

On completion of the investigation the HE Policy and Compliance Officer (or nominated representative) will write to the complainant, detailing the decision and the reasoning behind that decision. This should be completed within **20 days** of the start of the investigation.

## 11. Stage 3 – Formal Appeal

This stage of the process should only be deployed when the complaint is not resolved at both Stage 1 and 2 and should normally be progressed by the complainant within **10 working days** of the outcome of a Stage 2 investigation. The detail of the concern/complaint must be formally submitted in writing and must include what steps have already been taken to try to secure resolution at Stages 1 and 2 and the required resolution sought.

Appeals should be addressed to:

[hequality@ucleeds.ac.uk](mailto:hequality@ucleeds.ac.uk)

A written response will be sent within **10 working days** detailing how the complaint will be investigated, and when the complainant should expect an outcome. On completion of the investigation by a senior officer of the University Centre, the investigating officer will write to the complainant, detailing their decision and the reasoning behind that decision. This should normally be within **30 working days** of the start of the Stage 3 investigation.

For Open University Validated awards: in the unlikely event of the complainant remaining dissatisfied after Stage 3 they have the right to refer the matter to the Open University for review. Details can be found here [OU Validated Awards Regulations](#)

If following the above, the complainant still remains dissatisfied they have the right to request a review of the outcome with the Office of the Independent Adjudicator (OIA) within 12 months of the receipt of a Completion of Procedures letter from the Open University.

## 12. Employers

This procedure should be followed for complaints made by employers.

If an employer has any concerns/complaints with the service provided by University Centre Leeds, they should raise their concerns (within no later than six months of the occurrence) directly with:

- The relevant Course Manager or Head of Department for the area; or
- The Director of the relevant School

If the employer is not satisfied with the response received and wishes to pursue matters further, they have the right to directly escalate their issue(s) to Stage 3 of the Complaints Procedure, as detailed in paragraph 12 above.

## 13. Monitoring and Evaluation

Statistical data relating to the number of informal and formal complaints, including a summary of its decisions, will be included in the Scheme's Annual Report.

## 14. Review

<b>Change Summary</b>
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<b>Version</b>	<b>Date</b>	<b>Summary of Changes</b>
1		Policy Created
2		
3	Sept 22	Reviewed in line wit OU Audit