

Complaints Procedure for Students and Employers

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Policy Owner	Department
Registrar & University College Secretary	
Version Number	Date drafted/Date of review
2.2	18 July 2018
Date Equality Impact Assessed	Has Prevent been considered (see Policies Guidance if unsure)
30 August 2017	Yes
Reviewed and Approved by (see Policies Guidance for approval process)	Date
Leadership Group P&R, Academic Board	14/11/2018 - AB 16/08/2019 - LG
Access (tick as appropriate)	
Public access (website) <input checked="" type="checkbox"/> And/Or Internal access (MyWi) <input checked="" type="checkbox"/>	Staff and Student access <input checked="" type="checkbox"/> Or Staff access only <input type="checkbox"/>

Policy Overview and Scope

Writtle University College (“WUC”) is committed to providing high quality services and we welcome feedback to help us achieve this.

If you feel dissatisfied with some aspect of your dealings with the University College and feel you wish to raise a complaint, this procedure is designed to provide you with the means of obtaining a quick, fair and impartial response.

This procedure is available to students who are registered with WUC (HE, FE, apprenticeships and short courses) and those who have recently left the University College. It is also available to the employers of apprentices registered with the University College. For the purposes of this procedure, a student (including an apprentice) is regarded as having recently left the University College within three months of the conferral of an award, completion of a course or withdrawal. The University College has discretion to extend this three month period where it is felt that there are compelling reasons to do so.

Policy and Procedure

1. Complaints

1.1 You are entitled to invoke this complaints procedure if you feel dissatisfied with any aspect of provided by the University College. Examples of complaints include:

- Failure by the University College to meet its obligations including those outlined in the Student Charter;
- Misleading or incorrect information provided by the University College;
- Concerns about the delivery of a course, with respect to either teaching or administration.

The following matters are specifically **excluded** from its provisions:

- Disciplinary matters, which are covered by the Student Disciplinary Procedure;
- Academic appeals, which are covered by the Academic Appeals Procedure;
- Complaints or appeals regarding admissions decisions, which are covered by the Complaints and Appeals Procedure for Applicants;
- Matters relating to the Student Loans Company, which has its own complaints procedure.

1.2 Whilst it may not always be necessary to hold face-to-face meetings with you when considering your complaint, either party may request a meeting. Throughout the complaints procedure you have the right to be accompanied to all meetings by a person of your choice.

- 1.3 Where the issues raised affect a number of students, those students can submit a complaint as a group complaint. In such circumstances, in order to manage the progression of the complaint, we may ask the group to nominate one student to act as group representative. The University College may deal with the representative only and expect the representative to liaise with the rest of the group.
- 1.4 Complaints will be handled with the appropriate level of confidentiality with information released only to those who need it for the purposes of investigating or responding to the complainant. If a complaint is made about an individual, the individual may need to see the full complaint in order to respond accurately. For complaints regarding work placements or apprenticeships, the complaint may be shared with the employer to enable them to respond accurately.

2. Procedure

2.1 Stage 1: Informal Stage

- 211 If you have a complaint, you should take it up in the first instance with the member of staff directly concerned within seven working days of the issue arising. This is often best done verbally and informally, although you may present your complaint in writing if you wish.
- 212 Where you are the employer of an apprentice registered with the University College and you wish to make a complaint, you should raise this in the first instance with your existing point of contact at the University College.
- 213 The member of staff involved will report back to you, usually within ten working days, and will attempt to resolve the issues raised. Most complaints do not progress beyond this initial stage.

2.2 Stage 2: Formal

- 221 If you are not satisfied with the outcome of Stage 1 or if early resolution at a local level is not possible or suitable due to the character, complexity or seriousness of the matter, you may refer the matter in writing to the Complaints team within ten working days of the response at the informal stage. You should complete the attached **Complaints Form** (Appendix 1) and hand it in at the University College's main Reception, send it by post to the address below or email it to complaints@writtle.ac.uk. All formal complaints should be made within a month of the issue arising.
- 222 It is important that you detail in your complaint:
- Your name (a complaint will not be investigated if it is anonymous);
 - Your company/organisation, where you are the employer of an apprentice registered with the University College;
 - How you may be contacted (preferably address and telephone number);
 - The general nature of your complaint;
 - The specific substance of your complaint (including names, dates and documentary evidence where relevant); and
 - Details of the action you have taken under the informal stage, and the outcome, reason for your dissatisfaction and any proposals you may have for its satisfactory resolution.

- 223 A member of the complaints team will acknowledge the complaint within ten working days. The complaint will then be referred to the relevant member of staff to consider if the complaint is well-founded and, if it is well-founded, to investigate the complaint. This will normally be an appropriate Head of School, Head of Department or a senior manager in a support area who has not been directly involved previously in the matter.
- 224 The Apprenticeship Contract Manager will be informed of any complaints concerning apprentices (whether the complaint is raised by an apprentice or by an employer).
- 225 The member of staff investigating the complaint will endeavour to provide a final written response within twenty working days where possible, with a copy to the complaints team who will maintain a record of the complaint.
- 226 Complaints concerning the complaints team should be referred to the Vice-Chancellor via his/her Personal Assistant.

2.3 Stage 3: Review

- 2.3.1 If you are not satisfied with the outcome of Stage 2 (including a decision that the complaint was found to be not well-founded), you may request a review by completing a Request for Review form (see Appendix 2) within ten working days of the outcome at Stage 2.
- 2.3.2 A request for review may be brought under the following limited grounds:
- A review of the procedures followed at Stage 2;
 - A consideration of whether the outcome was reasonable; or
 - New material evidence which the complainant was unable, for valid reasons, to provide earlier in the process.
- 2.3.3 The Vice-Chancellor (or his/her authorised nominee) will review the complaint but will not usually consider the issues afresh or undertake a further investigation. The Vice-Chancellor or his/her authorised nominee will then respond in writing within fifteen working days where possible with a copy to the complaints team who will maintain a record of the complaint. HE students (including students enrolled on HE-level apprenticeships) will be issued with a Completion of Procedures letter at this stage.

2.4 Stage 4: Appeal – FE students

- 2.4.1 If you are not satisfied with the outcome of Stage 3, you may appeal to the Board of Governors within fifteen working days of the decision at Stage 3. The appeal must be made in writing to the Clerk to the Board of Governors stating why you are not satisfied with the outcome.
- 2.4.2 Upon receipt of notice of appeal, the Clerk will acknowledge your request within ten working days where possible. The Clerk will then arrange a meeting between the Vice-Chancellor and the Chair of the Board of Governors, which will determine whether or not the complaint is well-founded and appropriate for consideration by a complaints sub-committee of the Board of Governors.

- 2.4.3 If it is not considered appropriate for the appeal to be heard, you will be informed of the outcome within five working days where possible and the complaint will be dismissed. The decision at this stage is final and there is no right of appeal against this decision.
- 2.4.4 If it is decided that the complaint is well founded, a complaints review panel will be formed. You will be informed of this within five days of the meeting between the Vice-Chancellor and the Chair of the Board of Governors. The review panel will be chaired by a member of the Governing Body, and membership will include a senior member of the academic staff independent of the complaint area, and a student representative from the University College's Student Union.
- 2.4.5 You will be notified of the outcome of the review panel's decision by the Clerk to the Board of Governors, usually within ten working days of the review panel meeting. A copy of the decision will be passed to the complaints team for the complaints log.
- 2.4.6 FE students may be able to forward their complaint to the Education and Skills Funding Agency (ESFA) if they remain unsatisfied at this stage. Please refer to <https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure#complain-about-a-post-16-training-provider-college-or-employer-we-fund>.

2.5 Stage 4: Independent Review - HE students only (includes students enrolled on HE-level apprenticeships)

- 2.5.1 If you have exhausted the above Complaints Procedure and you do not consider that your complaint has been satisfactorily dealt with, you may be able to take your complaint to the Office of the Independent Adjudicator for Higher Education (OIA).
- 2.5.2 HE students wishing to avail themselves of the opportunity for an independent review by the OIA must submit their application to the OIA within twelve months of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures. Details of the scheme are available from the complaints team or from the OIA website www.oiahe.org.uk

3. Expenses

The University College may, at its discretion, reimburse a successful complainant reasonable and proportionate incidental expenses, necessarily incurred and claimed by complainants.

4. Questions

Queries relating to this Complaints Procedure should be referred to the complaints team, Writtle University College, Lordship Road, Writtle, Essex, CM1 3RR (or via complaints@writtle.ac.uk), or by contacting the Students' Union (SU). Details of the SU Officers are available from the SU Support Officer (01245 422752).

APPENDIX 1

Complaints Form

Writtle University College is committed to providing high quality services and we welcome feedback to help us achieve this. The best way to raise any issues or concerns is to discuss them with the member of staff or department directly involved. If this is not possible due to the seriousness of your complaint or, if you have already done so and do not feel your complaint has been satisfactorily resolved, please complete this form, including as much information as possible. The complaint will be dealt with in accordance with the University College's Complaints Procedure for Students and Employers. A complaint will not be investigated if this form has not been completed in full or if it is anonymous.

Name:	Address:	
Course :		
Tel. No.:	Email address:	
Company/organisation (where this complaint concerns an apprenticeship contract):		
Please set out clearly the nature and origin of your complaint: (Please continue overleaf if necessary and include documentary evidence where relevant)		
Please detail the steps you have taken to resolve your complaint informally including the outcome and reason for your dissatisfaction: (Please continue overleaf if necessary.)		
Please describe what we can do to resolve the matter:		
Signature:	Date:	

Please return your completed form to complaints@writtle.ac.uk. Alternatively, please deliver to University College reception for the attention of the Complaints team or post to: Complaints team, Writtle University College, Lordship Road, Chelmsford CM1 3RR.

APPENDIX 2

Request for Review Form

This form is to be completed in accordance with Stage 3 of the Complaints Procedure for Students and Employers and should be submitted by email to complaints@writtle.ac.uk or in hard-copy to: Complaints Team, Writtle University College, Chelmsford, Essex, CM1 3RR.

Please do not complete this form unless you have completed Stages 1 and 2 of the Procedure.

A complaint will not be investigated if this form has not been completed in full or if it is anonymous.

Name:	Address:	
Course :		
Tel. No.:	Email address:	
Company/organisation (where this complaint concerns an apprenticeship contract):		
<p>Grounds for Review</p> <p>A request for review may be made on limited grounds, including but not confined to:</p> <ul style="list-style-type: none"> A review of the procedures followed at the formal stage; Consideration of whether the outcome was reasonable in all the circumstances; or There is new material evidence which you were unable, for valid reasons, to provide earlier in the process. <p>The review stage will not usually consider the issues afresh or involve a further investigation.</p>		
Grounds for Review:	A procedural irregularity	
(Please tick as appropriate)	The outcome was unreasonable	
	There is new material evidence available	
<p>Please explain your grounds for review, how you have been disadvantaged by this and list the evidence to support your grounds.</p> <p>Include reasons why you did not submit this at an earlier stage.</p> <p>Continue overleaf if necessary</p>		

Please state your preferred outcome	
Declaration I declare that the information given in this form is true to the best of my knowledge and that I would be willing to answer further questions relating to it if necessary.	
Signature:	Date:

This policy supersedes any other policy and procedural guidelines, which may be in other existing University College documents. Writtle University College may amend this policy from time to time and any such amendments will be notified via the website or by email.

If this information is difficult to access, read or understand, it can be provided in another format, for example in large print or by someone talking it through with you.

Version Control

Version Number	Purpose/Amendment	Date
1.0	Existing policy moved to new WUC template	26 July 2016
1.1	Minor amends and changes to job titles	7 September 2016
2.0	Update for new academic year	30 August 2017
2.1	Minor amendments following OIA visit and changes in job titles	18 July 2018
2.2	Minor amendments to clarify that this procedure applies to apprentices and their employers	16 August 2019