

## HE STUDENTS COMPLAINT PROCEDURE

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Contents

1 What is a complaint? ..... 2

2 Who should use this complaints procedure?..... 2

3 How do I complain? ..... 3

4 Stage 1 of the Complaints Procedure - Informal ..... 4

5 Stage 2 of the Complaints Procedure – Formal ..... 5

6 Stage 3 of the Complaints Procedure - Review ..... 6

7 Independent External Review ..... 6

# 1 What is a complaint?

- 1.1 A complaint is defined as an expression of dissatisfaction by one or more students about any programme of study or related facility or any other service provided by or on behalf of Hugh Baird College, which has materially affected the student's experience at the College.

This Procedure does not apply where there are separate mechanisms in place.

- Appeals Against HE Admissions – see HE Admissions Policy and Procedures
- Whistle Blowing – contact Director of Governance

- 1.2 This Procedure will not be used for matters relating to assessment performance and academic judgement, except where there is a complaint about a service provided which has to be resolved before an appeal decision can be made.

- 1.3 A complaint considered under this Procedure can be one of two types:

(a) An academic complaint which may include any matter affecting the academic status of a student, such as: her/his progression; the results of examinations; award/degree classification; inadequate supervision; or perceived maladministration of an academic programme.

(b) A non-academic complaint may include any matter which (i) falls outside the definition of an academic complaint, (ii) is not covered by another Hugh Baird College procedure and (iii) affects a student's experience at or of Hugh Baird College and requires a response.

# 2 Who should use this complaints procedure?

- 2.1 If you are currently enrolled at the College on a HE programme, or left the College no more than 6 months previously, then you will be able to submit a complaint following this procedure.

- 2.2 The parent or guardian of a HE student under the age of 18 or a student who would be classed as vulnerable, who is currently enrolled at the College, or one that left the College no more than 6 months previously, may submit a complaint under this procedure on their behalf.

- 2.3 A fee paying employer that has an employee currently enrolled on a HE programme at the College, or one that left the College no more than 6 months previously, may submit a complaint following this procedure.

- 2.4 A client of one of the College's <sup>1</sup>Realistic Working Environments (RWE) may submit a complaint following this procedure.
- 2.5 A business partner with which the College has signed a contract will not be able to submit a complaint following this procedure. Such a complaint will be dealt with under the terms and conditions of the relevant contract.
- 2.6 If you are a Higher Education (HE) student in the Hugh Baird HE University Centre (HBUC) working in partnership with a Higher Education Institution you also have the right to access the partner university's respective academic complaints procedures although it would be expected that you first access the College's complaints procedure. Links to these procedures are available on the HBUC home page, located in the Wider Information Set (WIS) Policies and Procedures. In this instance, it is a requirement to send a notification to the Secretary to the Executive Management Team (EMT), with responsibility for compliments, complaints, appeals and disciplinaries.

### 3 How do I complain?

- 3.1 Where possible you should attempt to seek an informal solution by speaking to a member of staff with your concerns before requesting a formal investigation. First points of contact may include one or more of the following: course tutor, Faculty lead, HE academic lead or there may be another person you consider more appropriate. Whoever the first point of contact is you are requested to contact that person directly to discuss your concerns. Please make an appointment to see them and make it clear that you are making an informal complaint.
- 3.2 Where the informal stage has not been effective and you are unhappy with the outcome or where you feel a formal complaint may be needed you may complain by writing to the College (letter or email) or by completing a Complaints Form. Complaints can be submitted by handing them into Balliol Centre reception, posted in the Complaints Box in the Balliol Centre reception or posted/emailed to the College. All correspondence should be addressed to the Study Programme Lead.

Upon receipt of a complaint from a student on a HE programme the College would firstly make contact with the relevant HEI to ascertain whether the complaint is viewed to be in relation to 'academic' or 'non-academic' matters.

Complaints judged to be related to 'academic' matters will be investigated using Hugh Baird College's complaints procedure. Should the complainant reject the decision reached at the formal stage of the procedure then the student can seek a review of the complaint by the awarding body, under the relevant HEI's own procedures.

Complaints judged to be related to 'non-academic' matters will be investigated using Hugh Baird College's full complaints procedure and there will be no further right to appeal to the relevant HEI.

Whether a complaint is judged to be 'academic' or 'non-academic', upon completion of the procedures contained in this document the complainant if still not satisfied will have the right to independent external review.

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<sup>1</sup> Realistic Work Environment (RWE) Environmental setting where vocational tasks are undertaken, developing employability skills.

- 3.3 A complaint should normally be raised within three months of the events related to the complaint taking place and strictly no longer than 6 months after the final date of attendance of the learner to whom the complaint relates. The only exception is when a complaint is made that relates to certification after a learner receives their certificates; in this instance the complaint will be investigated provided the College is made aware of the issue within 1 month of the date of certification.
- 3.4 For guidance please follow the steps in the grid on page 7 of this document.

## **4 Stage 1 of the Complaints Procedure - Informal**

- 4.1 Where possible you should attempt to seek an informal solution by speaking to a member of staff with your concerns before requesting a formal investigation. First points of contact may include one or more of the following: course tutor, Faculty lead, HE academic lead or there may be another person you consider more appropriate. Whoever the first point of contact is you are requested to contact that person directly to discuss your concerns. Please make an appointment to see them and make it clear that you are making an informal complaint.
- 4.2 Where the informal stage is not attempted and a formal complaint is made, the Study Programme Lead will review the specific details of the complaint and ascertain whether it should be dealt with under the informal process or whether it should be dealt with as a formal complaint and the Study Programme Lead will normally contact you within 5 working days<sup>2</sup> of the complaint being received.

If it has been decided that the complaint should be treated as informal, you will be contacted by the Study Programme Lead who will advise you of the staff member who will be in contact with you regarding the complaint.

If it has been decided that the complaint should be treated as formal, you will receive a letter outlining the details of the review that is to take place, together with the name of the person is to conduct the review.

- 4.3 The person undertaking the investigation at the informal stage has the authority and discretion to consider any reasonable option to resolve the dispute. It is expected that the majority of complaints will be resolved satisfactorily at this stage with no further action being necessary. It is the responsibility of the person undertaking the investigation to ensure full and accurate details are recorded in the informal complaints file.
- 4.4 If an informal complaint is made directly to any member of staff, this must be reported by that staff member to the Study Programme Lead.
- 4.5 The Informal process should last no longer than 15 working days. It is the responsibility of the person undertaking the investigation to ensure full and accurate details are recorded in the informal complaints file and that details of the informal investigation and the outcome is regularly reported to the Study Programme Lead.

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<sup>2</sup> Working days' means days during term time (excluding weekends and College holidays)

- 4.6 If you are unhappy with the outcome at this stage you may make a formal complaint by writing to the College (letter or email) or by completing a Complaints Form. Complaints can be submitted by handing them into Balliol Centre reception, posted in the Complaints Box in the Balliol Centre reception or posted/emailed to the College. All communication should be addressed to the Study Programme Lead.

## **5 Stage 2 of the Complaints Procedure – Formal**

- 5.1 Where the informal stage has not been effective and you are unhappy with the outcome or where you feel a formal complaint may be needed you may make a formal complaint by writing to the College (letter or email) or by completing a Complaints Form. Complaints can be submitted by handing them into Balliol Centre reception, posted in the Complaints Box in the Balliol Centre reception or posted/emailed to the College. All communication should be addressed to the Study Programme Lead.
- 5.2 Once the complaint has been received, the Study Programme Lead will choose the most appropriate College manager to undertake a further investigation of the facts relating to the complaint
- 5.3 The Study Programme Lead will normally write to you within 5 working days after receipt of the complaint or rejection of the original informal investigation informing you of the name of the manager who will be investigating the complaint further.
- 5.4 The manager investigating the complaint will normally investigate the complaint and reach an outcome within 15 working days of the complaint or rejection of the informal investigation being received by the College. During this period of time the investigating manager may be in contact with you.
- 5.5 The Study Programme Lead will arrange for the letter containing the outcome of the investigation into the complaint to be posted to you. You will then have 14 calendar days<sup>3</sup> to reply indicating whether you accept the outcome of the investigation.
- 5.6 If you accept the outcome of the investigation then the complaint will be closed and, if relevant, the Study Programme Lead will arrange for actions arising from the conclusion of the investigation to be completed.
- If you reject the outcome of the investigation then the Study Programme Lead will arrange for your complaint to undergo the review stage of the complaints procedure.
- 5.7 If you do not reply within 14 calendar days to the letter containing the outcome of the investigation then the outcome will be considered accepted and the complaint closed.

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<sup>3</sup> 2 weeks from the date that the letter detailing the outcome of the investigation was posted.

## 6 Stage 3 of the Complaints Procedure - Review

- 6.1 The Study Programme Lead will pass your complaint to the Vice Principal Curriculum & Quality to undertake a further investigation of the facts relating to the complaint.
- 6.2 The Vice Principal Curriculum & Quality will review the complaint and write to you normally within 15 working days detailing the decision they have made. A copy of this letter will be sent to the Study Programme Lead.

In the case of students seeking a review of a complaint judged to be related to HE 'academic' matters, this will be undertaken by the relevant HEI who will then consider a review of the complaint using their own procedures. In such instances, it will be the responsibility of the student to refer their complaint to the HEI.

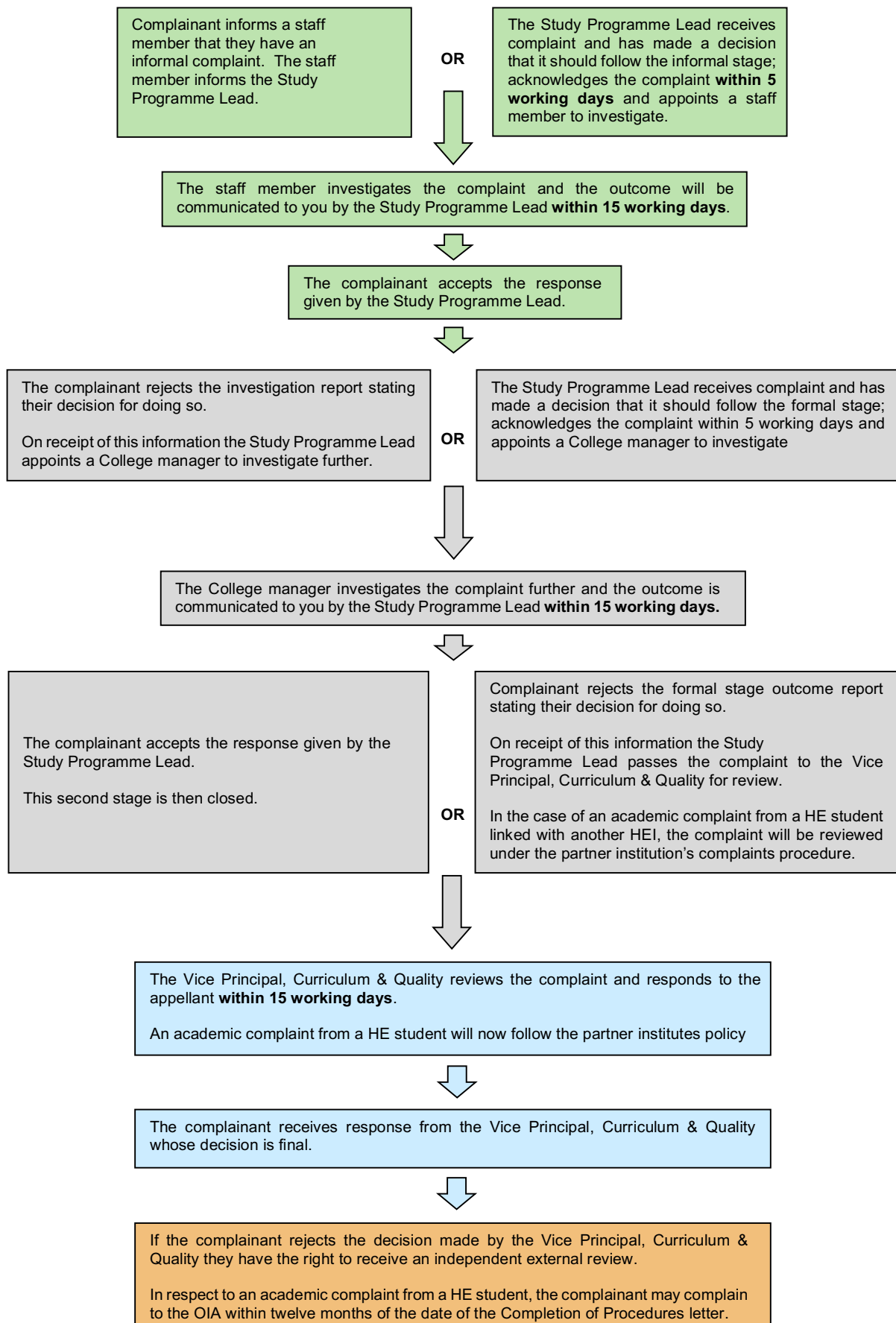
- 6.3 If relevant, the Study Programme Lead will arrange for actions arising from the Vice Principal Curriculum & Quality's review of the investigation to be completed.
- 6.4 The Vice Principal Curriculum & Quality's decision is final. The complaint will, therefore, be considered closed.
- 6.5 If, following the completion of a complaint review and the complainant remains dissatisfied with the outcome, then the complainant has the right to take their complaint for independent external review.

## 7 Independent External Review

- 7.1 Following the review of an HE academic related complaint through a partner institution's complaints procedure, and the issuing of a completion of procedures letter from the partner institution, if the complainant is still dissatisfied with the outcome, they have the right to contact the Office of the Independent Adjudicator (OIA) for Higher Education, the independent ombudsman service. The OIA provides an independent scheme to review student complaints. Links to individual partner institution policies and procedures are available on the HBUC home page, located in the Wider Information Set (WIS) Policies and Procedures.
- 7.2 You must use the [OIA's Complaint form](#), which you will find on its website. The OIA has its own rules about dealing with your complaint. You can find further information on the OIA's [website](#).
- 7.3 You have one year from the date of your Completion of Procedures letter to ask the OIA to look at your complaint.

# Appendix 1

## STUDENT COMPLAINTS PROCEDURE







**Hugh Baird College**

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*To inspire, challenge and transform lives.*