



University of Wales
Prifysgol Cymru

Student Complaints Procedure

(Collaborative Partner Institutions)

Academic Year 2009-2010

VALIDATION BOARD : STUDENT COMPLAINTS PROCEDURE

1. GENERAL INFORMATION

The following complaints procedure is designed for use by students registered on validated schemes of the University of Wales, in instances when it is not possible to invoke an existing University of Wales procedure. This procedure is intended to incorporate the principles of natural justice and procedural fairness and shall be conducted in reference to the following guidelines:

- a person making a decision in a case should declare any personal interest they have in the proceedings;
- a person who makes a decision should be unbiased and act in good faith;
- proceedings should be conducted so that they are fair to all parties;
- each party should be given the opportunity to ask questions and contradict the evidence of an opposing party;
- a decision maker should take into account all relevant considerations and extenuating circumstances and ignore any irrelevant considerations;
- justice should be seen to be done.

Wherever possible, the University would wish to see any complaint resolved as close as possible to its point of origin, and with a minimum of formality. The following procedure should apply where this has been investigated, and found to be not possible. It is important at all stages of the complaints process for all parties to be clear as to whether a complaint is being handled informally or through a formal procedure.

In some cases the University may be willing to meet reasonable expenses incurred by the complainant in the course of pursuing his/her complaint. Informal advice about invoking this procedure including arrangements for the meeting of reasonable expenses can be obtained from the University of Wales Registry, King Edward VII Avenue, Cathays Park, Cardiff, CF10 3NS or by emailing student complaints@wales.ac.uk.

A diagram outlining the entire complaints process is included at the back of this booklet for easy reference.

This procedure applies to:

Complaints arising from a student's educational experience, other than disputes relating to assessment and examinations (see below);

Complaints in respect of academic and/or administrative support or other services provided by a validated institution or the University of Wales;

Complaints regarding alleged harassment by staff of the validated institution or of the University of Wales;

Complaints arising from alleged discrimination by staff of the validated institution or of the University of Wales in relation to gender, race, disability, sexual orientation or otherwise.

This list is not exhaustive – complaints falling outside those listed above will be considered and investigated at the discretion the Chair of the Validation Board.

The investigation of formal complaints relating to matters which have occurred more than twelve months previously will be investigated at the discretion the University.

This procedure does not apply to:

Candidates wishing to appeal against an academic decision – separate procedures exist for such appeals. Candidates should also note that appeals against the academic judgement of examiners cannot be accepted;

Disciplinary matters – these should be dealt with in accordance with separate procedures in place within the validated institution, though complaints will be accepted against the disciplinary procedure process and/or outcome;

Fitness to Practise issues - these should be dealt with in accordance with the University of Wales Fitness to Practise Procedure (Collaborative Partner Institutions).

2. SUBMISSION OF A COMPLAINT

All correspondence regarding complaints, including submission of complaints and informal advice regarding complaints, should be submitted to:

University of Wales Validation Unit
King Edward VII Avenue
Cathays Park
CARDIFF
CF10 3NS
(email: studentcomplaints@wales.ac.uk)

All student complaints relating to validated provision shall be considered by a designated member of the Validation Board. If necessary, the designated member of the Validation Board considering the case shall have access to appropriate legal advice.

3. STAGE ONE

In order to make a formal complaint, the student concerned should submit the attached Complaints Form and attach any supporting evidence to: the University of Wales Validation Unit (ref: Student Complaints) at the address above. The Form can be submitted electronically, though certified copies of documents (e.g. medical certificates) may be requested. Should a student prefer the complaint to remain anonymous and it is feasible to do so, the Validation Unit shall seek to respect the student’s wishes.

The Validation Unit will confirm receipt of the complaint to the student normally within 5 working days and will liaise with the designated member of the Validation Board regarding the complaint.

The Validation Unit shall contact the Institution concerned and request a response to the complaint, to be received by the Validation Unit normally within 10 working days. Copies of the initial complaint and Institution’s response shall be forwarded to the designated member of the Validation Board for consideration.

The designated member of the Validation Board considering the case will liaise with colleagues in the Validation Unit to formulate a written response to the complaint, normally within 10 working days of the complaint being received by the Validation Unit. The response, and details of any action to be taken in the light of the complaint, will be sent by the Validation Unit to the student and to the Institution.

The outcomes available are as follows:

- (a) Complaint not upheld.
- (b) Complaint upheld in whole or in part.
- (c) In the event of a complaint being upheld in whole or in part, recommendations should be made in respect of remedial action required. A response may be required from the institution concerned, within a set timeframe.

Alternatively, the designated member of the Validation Board considering the case may decide that a meeting with the student and/or representatives of the Institution is necessary. In such instances, the Validation Unit shall make the necessary arrangements and a Validation Unit staff member will join the designated Validation Board member considering the case at the meeting. The meeting shall be held via telephone or videoconference if necessary. In the event of a meeting being held, the student and Institution shall have access to all relevant documentation relating to the complaint. The student may be accompanied, but not represented, by a member of the academic or welfare or advisory staff of the Institution concerned or by a student or officer of the Students' Union at the Institution concerned, but not by any other individual. Any person accompanying a complainant shall be asked by the member of the Board considering the case to identify themselves at the beginning of the meeting and may be invited during the hearing to speak in relation to the case. The appellant may not send another person to a hearing in his/her stead.

The outcomes available are as follows:

- (a) Complaint not upheld.
- (b) Complaint upheld in whole or in part.
- (c) In the event of a complaint being upheld in whole or in part, recommendations should be made in respect of remedial action required. A response may be required from the institution concerned, within a set timeframe.

Following a meeting, the designated member of the Validation Board considering the case will liaise with staff in the Validation Unit to formulate a written response to the complaint, normally within 10 working days of the meeting taking place. The response, and details of any action to be taken in the light of the complaint, will be sent by the Validation Unit to the student and to the Institution.

4. STAGE TWO: APPEAL AGAINST OUTCOME

If a student is not satisfied with the outcome of the Stage One investigation of the complaint, he/she may submit an appeal against the outcome within 10 working days of the written judgement being issued by the Validation Unit. This should not be confused with an academic appeal.

The appeal should be submitted to the Vice Chancellor, c/o the University of Wales Registry, King Edward VII Avenue, Cathays Park, Cardiff, CF10 3NS (ref: Student Complaint), and should indicate in writing why the response to the complaint is not satisfactory. Taking into account all the previous attempts at resolution, the Vice Chancellor (or his/her nominee) will decide whether a further complaint hearing is required, and will normally communicate his/her decision to the student within 10 working days of the appeal against the outcome being received.

Should such a complaint hearing be required, it will be chaired by the Vice Chancellor or his/her nominee with two senior academic or administrative members of staff of accredited or affiliated institutions of the University of Wales who are unrelated to the complaint. A member of staff from the University Registry will act as secretary to the Panel. The complaints hearing will normally meet within one calendar month of the appeal against the outcome being received.

The student (and if deemed necessary staff from the institution) will be invited to any meeting but the meeting shall be held via telephone or videoconference if necessary. In the event of a meeting being held, the student (and if deemed necessary the institution) shall have access to all relevant documentation relating to the complaint. The student may be accompanied, but not represented, by a member of the academic or welfare or advisory staff of the Institution concerned or by a student or officer of the Students' Union at the Institution concerned, but not by any other individual. Any person accompanying the appellant shall be asked by the Board to identify themselves at the beginning of the proceedings and may be invited by the Board during the hearing to speak in support of the case. The appellant may not send another person to a hearing in his/her stead.

The outcomes available are as follows:

- (a) Complaint not upheld.
- (b) Complaint upheld in whole or in part
- (c) In the event of a complaint being upheld in whole or in part, recommendations should be made in respect of remedial action required. A response may be required from the institution concerned, within a set timeframe.

Following a meeting, Panel members will liaise with staff in the University Registry to formulate a written response to the complaint *, normally within 10 working days of the meeting taking place. The written response to the complaint, and details of any action to be taken in the light of the complaint, will be sent by the University Registry to the student and to the Institution.

[* Completion of Procedures Letter]

5. STAGE THREE: APPEAL TO THE OFFICE OF THE INDEPENDENT ADJUDICATOR

Pursuant to the Higher Education Act 2004, the Office of the Independent Adjudicator for Higher Education (the OIA) has been designated by the National Assembly for Wales from 1 January 2005 as the operator of an independent scheme in Wales for the review of student complaints.

Once all the relevant University of Wales procedures above have been exhausted, a candidate may apply to the OIA for a review of the complaint. Any such application must be submitted by sending a completed Scheme Application Form together with all relevant information to the OIA within three months of the date on the "Completion of Procedures Letter" from the University of Wales upon completion of its internal procedures. A Scheme Application Form can be obtained from the University of Wales Registry, downloaded from the OIA website www.oiahe.org.uk or by telephoning or writing to the OIA. The contact details for the OIA are as follows:

OIAHE, 5th Floor, Thames Tower, Station Road, Reading, RG1 1LX
Tel: 0118 959 9813
Email: enquiries@oiahe.org.uk

6. MONITORING AND EVALUATION

The nature, incidence and outcomes of complaints will be regularly monitored and an annual report made to the Validation Board in this respect.



**University of Wales
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STUDENT COMPLAINTS PROCEDURE FORM

Before proceeding with the complaint please ensure that you are familiar with the student complaints procedure. Wherever possible, the University would wish to see any complaint resolved as close as possible to its point of origin, and with a minimum of formality. The following procedure should apply where this has been investigated, and found to be not possible.

The form should be completed in full, any supporting documentation should be attached securely. You are also advised to retain copies of all documentation.

Full Name			
Address for Correspondence		E-Mail Address:	
		Telephone Number:	
Institution Studied at:			
Programme Studied:			
Dates you were enrolled on the programme:			

YOUR COMPLAINT

Please set out the main points of your complaint. Please include:

- details of how this was raised initially within the validated institution (and with whom);
- any supporting documentation or other evidence. [This might include a chronology listing in date order all letters, phone calls and meetings that are relevant to your complaint, a list of the rules and regulations of the institution/University that you think are relevant to your complaint, a signed statement from any third party who can provide evidence relevant to your complaint.]

[Please continue on a separate sheet(s), if necessary]

WHAT WOULD YOU LIKE DONE ABOUT YOUR COMPLAINT?

DECLARATION

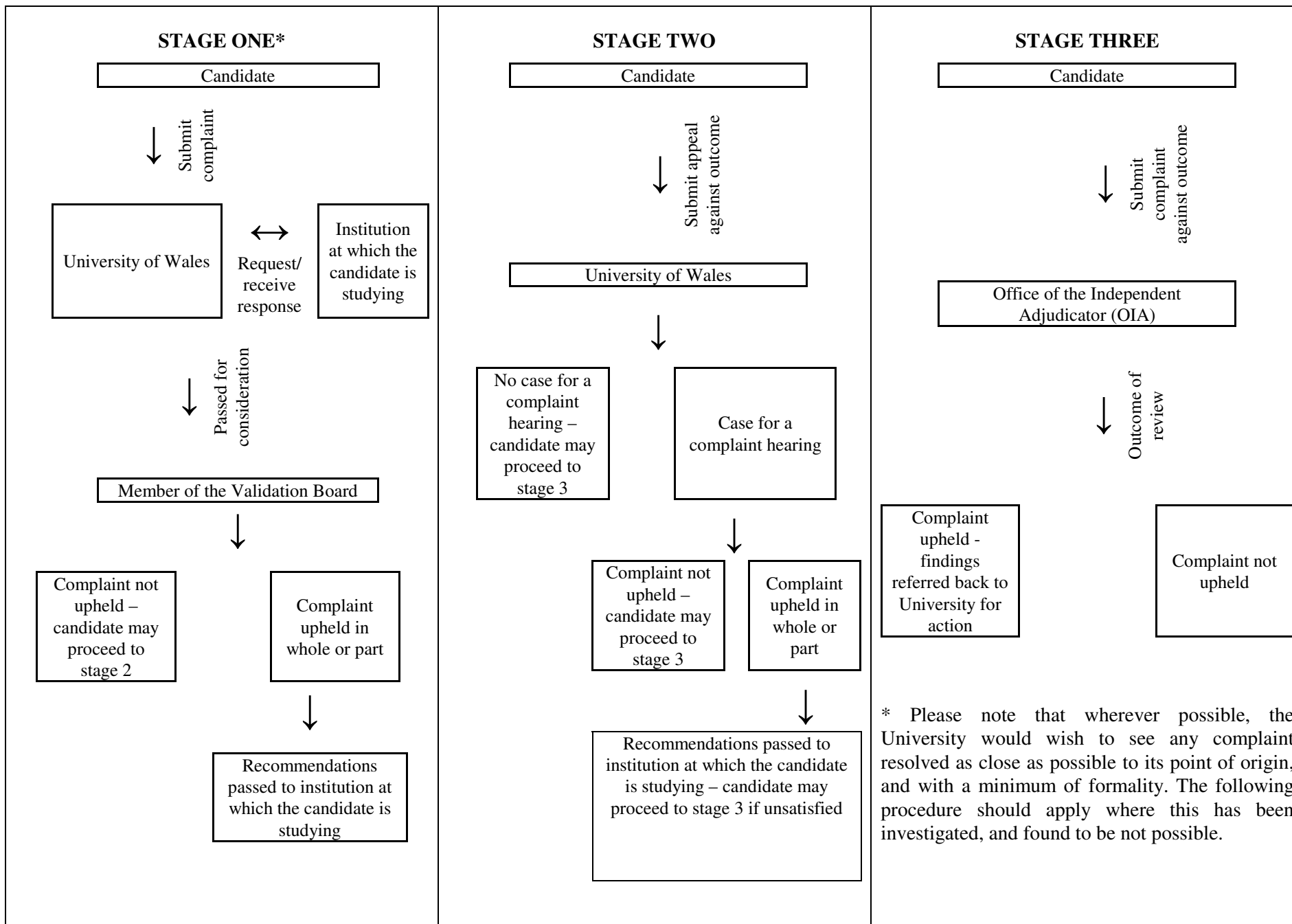
I understand that:

You will first decide whether the complaint is eligible under the rules.
You will send a copy of the form and supporting evidence to my institution.
You will need to handle personal details about me, which could include sensitive information (for example, relating to health matters), in order to deal with my complaint effectively.
You may need to exchange information about my complaint with the institution and with other persons and organisations (for example to find out important facts relating to my complaint).
You will keep my personal information confidential except as is necessary to deal with the complaint as set out above.

I agree to the above and confirm that I believe the facts stated in this application are true:

Signed:	Date:
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UNIVERSITY OF WALES VALIDATION BOARD STUDENT COMPLAINTS PROCEDURE



University of Wales Registry
King Edward VII Avenue
Cathays Park
CARDIFF
CF10 3NS

**The text of this publication can be made available in alternative formats:
please contact the University for details.**