

Complaints Procedures

Preamble

1. *The University has specific allied procedures that deal with Academic Appeals, Academic Complaints, complaints concerning the Students' Union and complaints concerning the Graduate Students' Association. If a complaint clearly falls under one of these specific procedures then a student should follow the steps of that procedure to its conclusion whereupon the decision of the University regarding the complaint will be considered to be final.*

2. *If a student feels that he/she is being subjected to any form of harassment by a member of staff or a fellow student, the University has formal Guidelines which have been designed to offer practical ways of dealing with harassment. These Guidelines offer a student informal steps that can be taken to address the situation. Under the Guidelines, if a student's concerns cannot be resolved by informal means, he/she should follow the Next Steps laid down in the Guidelines, by seeking a confidential interview with the Senior Resident Tutor. If the student considers that his/her concern has not been addressed by due process in accordance with the Guidelines, he/she has the right to register a complaint through the procedure laid down in the following paragraphs. The University's Guidelines for Students Dealing with Harassment and further advice are available from Faculty Offices, local School Support Offices, the Dean of Students' Office and the Students' Union Advice Centre.*

NON-ACADEMIC COMPLAINTS PROCEDURE

1 Purpose

1.1 The Non-Academic Complaints Procedure is intended to allow UEA students undertaking taught or research courses formally to raise concerns about matters which are the responsibility of the University, but which do not fall clearly under one of the specific procedures named above. We take such concerns seriously at UEA and the Procedure is designed to enable a student's concerns fully to be considered and action taken, within the bounds of what it is reasonable and practicable for the University to provide, to remedy the situation where appropriate in a timely manner.

Students on validated or accredited programmes at partner institutions should use the complaints procedures at their place of study

1.2 Concerns about academic results or the circumstances relating to them should be raised via the Academic Appeals Procedure. Other matters that relate to a programme of study or its associated academic facilities should be raised via the Academic Complaints Procedure. Details are available from Faculty Offices and online at:

<http://www1.uea.ac.uk/cm/home/services/units/acad/ltqo/studentexperience/academicappeals%2526complaints>.

A Complaint may be referred to a more appropriate procedure where one exists, for example, staff or student disciplinary procedures or procedures for dealing with allegations of harassment.

- 1.3 This Complaints Procedure comprises two parts: Stage One, in which the Dean of Students considers the complaint and Stage Two, which a student may follow if dissatisfied with the outcome of the Stage One complaint. Stage Two Complaints are considered by the Registrar and Secretary.

2 Commitments

- 2.1 Students who submit a case under this procedure will not be disadvantaged for having done so. Any student who believes that s/he has been disadvantaged by submitting a case should contact the Academic Registrar immediately. The University expects that students will not engage in frivolous or malicious complaints. It should be noted that a complaint that is found to have been brought with mischievous or malicious intent may itself prove grounds for disciplinary actions against the complainant
- 2.2 The University will in considering complaints apply this Complaints Procedure in accordance with its Equal Opportunities Policy. In particular, reasonable adjustments will be made for those with disabilities, specific learning disabilities or long-term medical conditions.
- 2.3 All parties to the complaint and individuals who have been involved in any related investigations and/or the management and/or administration of the complaint will observe the requirements of confidentiality. Whilst confidential information may need to be disclosed in order to consider the complaint, this will only be to those staff involved in the consideration of the complaint. In addition, confidential information may be disclosed to governmental, police or regulatory authorities as required by law.
- 2.4 All personal information will be processed by the University in accordance with the Data Protection Act 1998.

3. First steps to try to resolve concerns

- 3.1 Students are encouraged to try to resolve the matter they are concerned about informally before beginning the formal Procedure. A number of avenues exist through which an explanation can be provided which might satisfactorily answer their concerns. An informal approach could be made to the person(s) most directly involved. This may involve contacting the personal Adviser/supervisor, another member of the academic staff or other appropriate person. These informal proceedings will not prejudice the formal procedure outlined below.

Students can be assisted in making such an approach by their School student representative and may also seek advice from the Dean of Students' Office and/or the Student Union's Advice Centre.

- 3.2 Should these steps not resolve the matter to the student's satisfaction, the student may make a formal case for a Complaint under Stage One of the procedure. The Complaint will be dealt with by the Dean of Students' Office. If the concern remains unresolved after this, the student may take the process to Stage Two, which is described later.

STAGE ONE NON-ACADEMIC COMPLAINT

4 How a student submits a Stage One non- academic complaint

- 4.1 A student must submit a completed Stage One Complaint Form and any supporting evidence to the Dean of Students. Forms are available at:

<http://www1.uea.ac.uk/cm/home/services/units/acad/ltgo/studentexperience/academicappeals%2526complaints>

or from the listed Offices. No evidence submitted can be anonymous.

If the student is unsure about how to proceed he/she should seek advice from his/her Faculty Office, local School Support Office, the Dean of Students' Office or the Students' Union Advice Centre.

5 Response to the complaint

- 5.1 The Dean of Students is responsible for responding to a Complaint. If the Dean of Students is part of the subject of the complaint or is otherwise in a conflict of interest, a suitable substitution will be made by the Registrar and Secretary. Notwithstanding this provision and for ease of reference the person responsible for responding to the Complaint will be hereafter referred to the Dean of Students in this Procedure.

- 5.2 Upon receipt of the complaint, the Dean of Students will consider the nature of the complaint and will direct it to the most appropriate route for dealing with the issues that have been raised. This could mean that the matter is dealt with under one of the following procedures:

- Academic appeals
- Academic complaints
- Staff or Student disciplinary procedures
- Complaints concerning the Students' Union (<http://www.ueastudent.com>)
- Complaints concerning the Graduate Students' Association

If the complaint needs to be addressed through one of these routes the appropriate procedure will be followed through to its conclusion. Once the procedure has been exhausted the University's decision regarding the complaint will be final. The complainant will not have the right to have the same case heard again through a different complaints route.

Some service areas in the University have local complaints procedures and, where such a procedure exists, the Dean of Students will advise the student that the local procedure will be used to address the complaint under Stage 1.

- 5.3 If the Dean of Students determines that the matter should be handled under the Non-Academic Complaints Procedure, the Dean of Students will appoint an Investigating Officer who will assemble the evidence relevant to the complaint and prepare a written report for the Dean of Students. In assembling such evidence, the Investigating Officer may interview those involved and will consider any relevant records or other written information (subject to the terms of the Data Protection Act).
- 5.4 If the complaint relates to matters which may give rise to disciplinary proceedings against individual members of staff or students of the University, it will be referred to the appropriate authority under the relevant staff or student disciplinary procedure. If disciplinary proceedings are, or have already been, instigated in respect of these matters, they will take precedence over the operation of the complaints procedure, which will cease at this point. The student may be called to give evidence at any associated disciplinary hearing. The student will be entitled, if he or she requests, to be informed of the outcome of the disciplinary proceedings.
- 5.5 If, at any stage in the complaints procedure, the subject of the complaint becomes, or is likely to become, a matter for criminal proceedings, this complaints procedure will be suspended. The procedure will be stayed until either criminal proceedings have been completed or a decision not to prosecute has been taken.
- 5.6 Subject to the provisions of paragraphs 5.3-5.5 the Dean of Students shall consider the report of the Investigating Officer and may commission further enquiries and investigations by the Investigating Officer as he/she sees fit. The student may be invited to discuss the complaint in person and may be accompanied by a friend if s/he wishes.

6 Actions and Outcomes

- 6.1 The Dean of Students, having considered the conclusions of the investigations, will decide whether the complaint has any substance and whether any remedial action should be taken or whether the complaint is unjustified.
- 6.2 If the Dean of Students decides that the complaint has substance and that remedial action should be taken, the Dean of Students will make a written recommendation to the relevant Head of Service/School regarding resolution of the complaint. The Head of Service/School shall have 10 working days within which to respond to the Dean of Students' recommendation(s).

- 6.3 The decision of the Dean of Students will be communicated to the student in writing within 20 working days of the date of receipt of the complaint if practicable. The Dean of Students will provide a full and clear explanation of the decision, including, where relevant, notice of specific actions to be taken by way of a remedy and for the prevention of a recurrence of the original cause of the complaint.
- 6.4 With limited exceptions (for example, where information cannot be disclosed because of the University's obligations under the Data Protection Act), all written material considered by the Dean of Students under the procedure will be accessible to the student as accompanying evidence to the decision of the Dean of Students. In the first instance, the evidence will take the form of a list of the documents considered, included with the Dean of Students' response to the student.

The student may request in writing to the Dean of Students a copy of the evidence taken into consideration.

STAGE TWO NON-ACADEMIC COMPLAINT

7. How a student submits a Stage Two non-academic complaint

7.1 If dissatisfied with the outcome of the Dean of Students' investigation, the student may, within 20 working days of the date of its notification, submit a completed Stage 2 Non-Academic Complaints Form, (and any supporting evidence) to the Registrar and Secretary, giving reasons for wishing to pursue the complaint. Forms are available at:

<http://www1.uea.ac.uk/cm/home/services/units/acad/ltqo/studentexperience/academicappeals%2526complaints>

or from Faculty Offices of the Dean of Students' Office. No evidence submitted shall be anonymous. A student may wish to seek advice from the Students' Union Advice Centre on how to make an appeal under Stage 2.

8. Response to the complaint

8.1 The Registrar and Secretary shall decide whether there is a prima facie case that the appeal, as set out on the Complaints Form, warrants further consideration under Stage 2, taking into account:

- (1) any documentary evidence submitted by the student under Stage 1;
- (2) the letter sent to the complainant by the Dean of Students giving the outcome of Stage 1 in accordance with paragraph 6, and;
- (3) the reasons given by the complainant for wishing to pursue the complaint to Stage 2.

8.2 The Registrar and Secretary shall inform the student in writing, within 10 working days of the receipt of the appeal whether the complaint will be accepted under Stage 2 of the procedure, giving reasons for this decision, which shall be final. The Registrar and

Secretary shall inform the Dean of Students and the relevant Head of School or Head of Service who acted under Stage 1 of this procedure of the decision made.

- 8.3 If it is decided to accept the complaint at Stage 2, the Registrar and Secretary shall determine the member(s) of the Executive Team and/or other Senior Officers (the “designated officer”) who shall consider the complaint on the basis that no-one shall consider a complaint that falls within his/her remit.
- 8.4 The designated officer and/or other Senior Officer will send a copy of the complaint form and supporting evidence submitted by the student to the person(s) most directly involved in the substance of the complaint and to the Dean of Students who acted under Stage 1.
- 8.5 The Head of School or Head of Service and Dean of Students will be invited to provide a written response to the Stage 2 complaint within 15 working days. The designated officer will conduct such other enquiries as they determine appropriate. Such consultation may include seeking further information and/or advice from a sabbatical officer of the Union of UEA Students or President of the Graduate Students’ Association.
- 8.6 The Dean of Students, relevant Head of School/Service, and the student may be invited to a meeting and may be called upon to give evidence. Each may be accompanied by a friend if so wished. In this case, the designated officer will provide the student with a copy of the written response of the Dean of Students and the relevant Head of School/Service to the Stage 2 complaint within 5 working days of any such meeting.
- 8.7 The investigation of the Stage 2 complaint shall be completed within 30 working days of the decision to accept the complaint, where practicable.

9. Actions and Outcomes

- 9.1 If the member designated officer decides that based on the evidence remedial action is warranted, the Registrar and Secretary will write to the Head of Service within 5 working days of a decision having been reached to instruct him/her on the action to be taken, giving a full and clear explanation of the decision.
- 9.2 If the designated officer decides that remedial action is required, the Registrar and Secretary will write to the student giving details of the remedy within 5 working days of a decision having been reached. A full and clear explanation of the decision will be provided.

This response will include, if the complaint is upheld, notice of specific actions to be taken by way of a remedy and for the prevention of a

recurrence of the original cause of the complaint within the bounds of what it is reasonable and practicable for the University to provide.

- 9.3 If the member designated officer decides that remedial action is not warranted, the Registrar and Secretary will write to the student and the Head of Service to inform them that the complaint has been rejected, within 5 working days of a decision having been reached. The letter from the Registrar and Secretary will give a full and clear explanation of the decision.

10. Further right to appeal

- 10.1 Following completion of Stage 2 there is no further right to complaint within the University.
- 10.2 Students who are dissatisfied with the outcome of their Stage Two complaint, or whose complaint was rejected without an investigation at Stage 2, may complain to the Office of the Independent Adjudicator for Higher Education (OIA). Details will be provided in the letter advising the student of the complaint's final outcome.