

Student Complaints Policy and Procedures

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The College of Estate Management is committed to providing a high quality learning experience through its course provision and range of services. It encourages a positive environment in which informal contact and feedback from students is welcomed and where constructive complaints can be dealt with effectively. On the VLE, you will find a 'Have your Say' section, where you are encouraged to provide both compliments and suggestions on how the College can improve the quality of its service.

The College has also established an open, fair and accessible Student Complaints Policy and Procedures in order to encourage the prompt resolution of problems at the earliest stage possible.

In this guide, you will find useful general information about making complaints, detailed information on the procedures themselves and a summary chart showing the different stages of the process.

The Policy and Procedures apply to all individuals who are studying on College of Estate Management programmes.

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The Complaints Officer for students on all courses is:

Helen Edwards
College of Estate Management
Whiteknights
Reading
Berkshire
RG6 6AW

Tel: +44 (0)118 921 4678
Email: h.edwards@cem.ac.uk

Please ensure you read this guide, to familiarise yourself with the procedure.

Jane Fawkes
Director of Academic Support
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STUDENT COMPLAINTS POLICY AND PROCEDURES

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1. INTRODUCTION

- 1.1 The College is committed to delivering a high quality service and maintaining effective procedures, whether studying in the UK or overseas, and to bring forward complaints where there is cause for concern. It is the College's aim to settle complaints promptly, fairly and courteously in the best interests of all parties, and to address areas where improvement is needed. The College is keen to ensure that the interests and well-being of all those associated with a complaint are properly safeguarded.
- 1.2 The College aims to handle complaints in a manner which:
- encourages informal conciliation nearest to the source of the complaint
 - is efficient and fair
 - treats complaints with appropriate seriousness, sympathy and confidentiality
 - facilitates early resolution
 - where relevant, ensures that College practice improves as a result.
- 1.3 The UK Quality Assurance Agency (Code of Practice on Academic Appeals and Student Complaints, May 2007) advises that dealing with a complaint fairly and justly should involve:
- dealing with the complaint in a way that is proportionate to the complexity of the issues and the resources of the parties involved
 - making provision for informality and flexibility in the proceedings, as appropriate
 - ensuring, as far as possible, that the parties involved are on an equal footing procedurally and able to participate fully in the proceedings, including assisting or otherwise facilitating the complainant in presentation of their case
 - avoiding delay as far as is compatible with fairness and the proper consideration of the matter.
- 1.4 The procedures outlined below have been established with the aim, where possible, of resolving complaints informally and through negotiation between those individuals who are immediately concerned with the issue. The College recognises, however, that some complaints cannot be resolved by informal means alone and may require formal intervention. The formal procedure is therefore available to students in the event that informal pursuit of a complaint proves unsatisfactory.
- 1.5 If a complaint is deemed by the College to be of a particularly serious nature, the College reserves the right to move the complaint to formal investigation at the most appropriate stage of the procedures from the outset.
- 1.6 The College believes that an open, fair and accessible Complaints policy is in everybody's interest and indeed that its existence encourages the prompt resolution of problems at the earliest stage. The College is confident that the overwhelming majority of students will use these Procedures in a positive spirit. However, it is possible that a very small minority may misuse the Procedures. In exceptional circumstances, therefore, the College reserves the right to investigate complaints, and then to decline to consider any that are merely vexatious or abusive. The College will provide a brief response outlining the reasons for deciding not to investigate further, but will not enter into lengthy correspondence about such cases.

- 1.7 Guidance provided by the UK Quality Assurance Agency in May 2007 states that monitoring complaints is an effective way of helping institutions to ensure that procedures are fair and are working as intended. Details of any complaints, including outcome, will be considered on a monthly basis by a member of the College's Senior Management Team. The complaint log will be analysed for evidence of continuous improvement in processes and provision, and ensure that trends in failure of provision or delivery have been identified and rectified. An anonymised summary of complaints on record and how they have been managed will also be reported annually to the Academic Board.

2. DEFINITIONS

- 2.1 A 'Complaint' is defined as any concern a student might have relating to the College, including a concern about the provision of a programme of study or academic related service or facility provided by the College.
- 2.2 An 'Appeal' is a request for a review of a decision which has been made by an academic body, such as the Examinations Board which is charged with making decisions on student progression, assessment and awards. Procedures for Appeals are dealt with through a different process, as detailed on the VLE. You should check your VLE for information regarding appeals, and follow this process if your complaint relates to an Examination Board decision. A formal Complaint cannot be raised whilst a matter is in the process of being considered as an Appeal.
- 2.3 A person who makes a complaint is known as the 'Complainant'.

3. GUIDE TO MAKING A COMPLAINT

3.1 Why should I complain?

No service is perfect: mistakes can happen, things could be arranged better. Students are encouraged to let us know if things could be improved. If we are not aware that there is a problem, we cannot put it right. Alerting us to problems can also help other students and future students to get a better service. By raising a complaint where you feel there is real justification you are helping yourself, helping other students and helping the College.

3.2 Can someone make a complaint on my behalf?

A student should submit their own complaint. In exceptional circumstances, a complaint may be submitted on behalf of a student by a third party who has a personal connection with the student. Such a complaint must include signed written authorisation by the student. This procedure accords with the UK Data Protection Act and with practice across the UK higher education sector. In dealing with the complaint, the College may still wish to have direct contact with the student during the investigation process.

3.3 What if I don't want to complain because it might affect my assessment?

The College has made a commitment that no student will be penalised for complaining, and guidance has been given to Academic Staff to this effect. Members of staff involved in handling the various stages of a particular complaint are obliged to ensure that such a complaint does not influence the assessment of the complainant's academic work or the way in which the student is treated.

3.4 Will the person I complain about find out?

Individuals who are the subject of a complaint are entitled to know who is complaining and the nature of the complaint. If you are at all concerned about this you should get advice from the Complaints Officer. If, in exceptional circumstances and for justifiable documented reasons, a complainant wishes to remain anonymous, this may be considered, for example in the initial stages of harassment procedures (which are detailed in a separate policy). However, the Complaints Officer will normally wish to undertake confidential discussions in person with the complainant.

3.5 How will the complaint be resolved?

When making any sort of complaint, it is always worth the complainant thinking about how the complaint can be resolved and what the College can do to address the problem. This can help the complainant when formulating the complaint and makes it clear to the person addressing the complaint what outcome is desired.

The College will ensure, as far as is reasonably practicable, that where a complaint is upheld, appropriate remedial action is taken. Any resulting restitution could include reasonable and proportionate expenses necessarily incurred by a successful complainant.

3.6 What support can I expect during the complaints process?

The Complaints Officer is there to provide advice and guidance throughout the complaints process. The Complaints Officer can help determine whether your case is best dealt with as an appeal, complaint or complaint about staff conduct, and will also guide you through the various stages of the complaints process.

3.7 Who will respond to my complaint?

The respondent to your complaint will depend on which stage of the complaints process you are at. At the informal stages, the respondent will be the person you have addressed the complaint to, such as Course Administrator or Course Director. Complaints at stage 2 are submitted to the Complaints Officer, who will request that your complaint is investigated and responded to by the appropriate member of the Senior Management Team (SMT). Complaints at stage 3 will be responded to in writing by the College Principal, following the Complaints Committee Meeting.

4. STAGES OF PROCEDURE

If a student wishes to make a complaint, the steps that should be taken are detailed below.

4.1 STAGE 1: INFORMAL DIRECT COMPLAINT AT SOURCE

- 4.1.1 Where possible, complaints should be raised immediately with the relevant Department at the source of the complaint. The complainant may wish to raise the matter in the first instance with the Course Administrator or Course Director (or if relating to Exams issues, the Head of Exams and Progression); the aim being to resolve the problem directly and informally at the earliest opportunity. It is anticipated that the vast majority of complaints will be resolved in this manner. The Complaints Form may assist the complainant in thinking about the precise nature of the complaint and how he/she would like the matter to be resolved.
- 4.1.2 Although Stage 1 is informal, it is advisable for members of staff involved to retain a brief written record and to share the outcome with other members of staff if the matter is not confidential and the experience could benefit the effectiveness of the College.
- 4.1.3 If a complainant feels unable to approach the relevant Department, Course Director or Course Administrator, or is not satisfied with the response to the complaint, the complainant should make a formal complaint (see Stage 2 below).

4.2 STAGE 2: FORMAL COMPLAINT TO STUDENT COMPLAINTS OFFICER

- 4.2.1 Formal complaints to the Complaints Officer should be submitted in writing. Complainants should use the standard form, which can be obtained by contacting Helen Edwards, College of Estate Management, Whiteknights, Reading, Berkshire, RG6 6AW, tel: +44 (0)118 921 4678, email: h.edwards@cem.ac.uk, or by going to the Academic Support section of the VLE. Completed forms should be submitted, with any supporting documentation, directly to the Complaints Officer.
- 4.2.2 The Complaints Officer will acknowledge the complaint within 2 working days of its receipt. After a brief investigation into the problem, the complainant will be contacted again to be advised of the timescale of the inquiry into the complaint. A written response relating to the findings of the inquiry will be issued by a member of the Senior Management Team within a maximum of six weeks from the date of receipt of the original complaint.
- 4.2.3 If the complainant is not satisfied with the action taken at this level, he/she may choose to proceed to Stage 3 of the procedure.

4.3 STAGE 3: COMPLAINT TO THE COMPLAINTS COMMITTEE

- 4.3.1 The complainant should write to the Complaints Officer, and request for the case to be referred to the College Complaints Committee. The Committee is an independent committee chaired by the College Principal. The Committee will consider the case and inform the complainant in writing of the outcome. The complainant will be asked to prepare a written statement for the Committee as part of the hearing.
- 4.3.2 This is the final stage of the College complaints procedure, and the final point of resolution for students who are on CEM courses; i.e. those that are not validated by another partner.

4.4 STAGE 4: COMPLAINT TO VALIDATING PARTNER

- 4.4.1 This stage applies only to complaints on courses validated by partner institutions.
- 4.4.2 For Open University (OU) validated courses, complaints should be sent to:**
The Director
Open University
Validated Services
44 Row, London
WC1R 4LL
United Kingdom
- 4.4.3 When the OU receives the complaint, a formal acknowledgement of receipt will be sent.
- 4.4.4 The letter will be checked to ensure that all necessary information has been provided:
- full name, contact address and telephone number
 - confirmation of study with the College of Estate Management
 - a detailed statement explaining what the complaint is about and why
 - documentary evidence that stages 1-3 of the complaints policy have been followed and a copy of the letter notifying the final outcome at stage 3
 - documentary evidence to support the complaint.
- If the information above is not provided, the complaint will be delayed and may eventually be dismissed.
- 4.4.5 The OU will make every attempt to respect the privacy and confidentiality of the complainant when dealing with the complaint. However, unless specifically stated otherwise, the OU will assume that the complainant has given permission to disclose as necessary any of the information provided. If the complainant does not want information to be disclosed they must clearly state this within their letter: however, it may not be possible to consider the complaint appropriately.
- 4.4.6 Once all the necessary information is provided, the complaint will be checked to ensure that there are valid grounds. In order for the complaint to be valid, all of the following must be true:
- It is a legitimate complaint about service, or lack of service, for which the institution is responsible and this impacts directly and substantively on the

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experience of an OU validated programme. It must relate to a service that was said to be provided;

and

- It can be demonstrated that stages 1-3 of the College's complaints procedure have been exhausted;

and

- that the College's internal procedures and regulations for dealing with complaints were not interpreted or implemented correctly or fairly;

or

- that the matter has not been properly addressed by the institution's own internal procedures.

If the complaint does not meet the conditions listed above or is considered frivolous or vexatious, it will not be considered further and will be dismissed. This decision will be final. The complainant will be informed of this in writing by the OU, with the reasons stated.

4.4.7 The OU will attempt to resolve the complaint within 40 working days of receiving the letter. It will base its decision on the information provided the complainant and the College in response to its investigation.

4.4.8 For University of Reading validated courses complaints should be sent to:

Director of Student Services
Carrington Building
University of Reading
Whiteknights
RG6 6AH

4.4.9 On receipt of the complaint, the Director of Student Services will consult as appropriate with a view to resolving the issue. In the event of resolution not being achieved, the Director of Student Services shall submit a report to a Pro-Vice-Chancellor. The Pro-Vice-Chancellor may make such further investigations or enquiries, if any, as he or she deems necessary, and then come to a conclusion in the matter.

4.4.10 If, in exceptional circumstances, the above does not result in resolution or the issue of

a 'Completion of Procedures' letter, the complainant may request that the University Secretary convene a Complaints Committee. The decision of the Complaints Committee, which shall be reported to the Council, shall be final. Where appropriate, the Complaints Committee may make a recommendation as to the remedy. The complainant shall receive a statement, with reasons, of the committee's decision.

4.5 STAGE 5 COMPLAINT TO THE INDEPENDENT ADJUDICATOR

4.5.1 If you are on a course validated by a partner institution and you are still not satisfied that your complaint has been dealt with in an appropriate manner you may contact the Independent Adjudicator.

4.5.2 The Office of the Independent Adjudicator for Higher Education
Third Floor
Kings Reach
Kings Road
Reading
RG1 3AA

<http://www.oiahe.org.uk>

4.5.3 This is your final point of recourse, and the decision of the Independent Adjudicator is final.

5. STUDENT COMPLAINTS ABOUT STAFF CONDUCT

- 5.1 This section sets out the process if the complaint is about the conduct of a member of College staff. Complaints about staff conduct should be recorded on the complaints form.
- 5.2 Complaints about College staff will be dealt with formally and investigated by the Head of Human Resources in accordance with the staff College Disciplinary Procedure. The Head of HR will acknowledge receipt of the complaint within 5 working days and will provide an indication of how long it might be before an outcome of the investigation will be known.
- 5.3 The nature of employment-related investigations is such that whilst they can be short, they are often complex and sometimes lengthy, and the College is required to adhere to employment legislation and statutory guidance throughout the process. The College will aim to respond to the complainant as soon as reasonably possible.
- 5.4 Due to the confidential nature of employment investigations, the College may not be able to disclose the findings of the investigation, nor confirm what action has, may or may not be taken as a result of the outcome of the investigation; this includes whether the College will deal with the complaint on an informal or formal basis with the member of staff. It will, however, aim to respond to the complainant in writing within 20 working days of receipt of the complaint, to advise of the College's position.
- 5.5 Should the complainant feel dissatisfied with the College's response in 5.4 above, the complainant should write formally, explaining why, to a SMT member at the College (please send this via the Head of Human Resources); the original complaint may be attached. The Head of Human Resources will acknowledge written notice and will advise of the name of the SMT member within 2 working days.
- 5.6 The SMT member will review the process undertaken by the Head of Human Resources and if necessary, instruct that a further investigation is carried out. In any event, the College will write to the complainant to advise of its position, within 20 working days (from the date written notice was received).

6. GUIDELINES FOR MEMBERS OF STAFF

The College has established open, fair and accessible Complaints Procedures in order to encourage the prompt resolution of problems at the earliest possible stage.

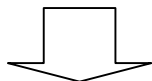
6.1 All Members of Staff

- All members of staff must encourage a positive environment where contact with, and feedback from, students is welcomed, and constructive complaints can be dealt with effectively.
- All members of staff must have a good working knowledge of these Complaints procedures and their underlying principles. The College will notify staff of where this policy can be accessed and will advise of any updates.
- Where possible, complaints should be dealt with as near to source as possible, in a timely manner and progressed to the next stage of the Complaints Procedures as appropriate.
- Clear written records of the various stages of the Complaints Process must be confidentially maintained on the student file, in accordance with Data Protection guidance, and with a note of decisions and actions taken (with dates) and a record of outcomes. The Complaint Monitoring Report Form can be used to aid this process. The only exception to this is where the complaint relates to a member of College staff and any investigation related documents/notice of action taken will be retained by the Head of HR and if required, retained on staff files.
- The Complaints Officer must ensure that any members of staff involved in a student complaint are kept informed of the outcome of each stage of the process and of how the matter has been resolved.
- Members of staff involved in handling the various stages of complaints are obliged to ensure that the complainant is not disadvantaged either in manner of treatment or in discrimination in academic assessment as a result of raising the complaint.
- The confidentiality of both the complainant and the subject of any complaint must be respected.

7. Stages of the Complaints Process

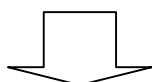
Stage 1 Informal Complaint at Source

(It is recommended to use the student complaint form)



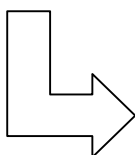
Stage 2 Formal Complaint to the Complaints Officer

(Please use the student complaint form)



Stage 3 Complaint to the Complaints Committee

(This is the final stage of the complaints process for students on College awarded courses)



Stage 4 Complaint to validating partner

(only applicable to students on University of Reading and OU validated courses)



Stage 5 Final place of complaint to the Independent Adjudicator (only applicable to students on University of Reading and OU validated courses)

If you have an informal or formal complaint against the College, you should follow the stages of the complaints process as outlined above. You will leave the complaints process at whichever stage you are satisfied that your complaint has been dealt with. The final stage of complaint is the Independent Adjudicator, after all other appropriate stages have occurred. If your complaint is connected to an academic decision of an Examinations Board you should follow the appeals process, as detailed on the VLE. If you have any queries about this process, please contact the Complaints Officer.