

## LTC16D132

**Title:** *Revised Non Academic Complaints Regulations*  
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**Date:** 01/06/17  
**Circulation:** LTC – 21 June 2017  
**Agenda:** LTC16A006  
**Version:** Final  
**Status:** Open

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### Issue

A proposed revision to the regulations pertaining to Non-Academic Complaints that introduces a panel based approach so as to align more effectively with the successful model of Academic Complaint consideration.

### Recommendation

Recipients are asked to approve the regulations as proposed

### Resource Implications

There are some minor resource implications arising from the proposed regulatory change. These are wholly related to staff time and are unlikely to exceed the total staff time currently spent dealing with complaints under the existing regulations.

### Risk Implications

Approval of the revised regulations will reduce the risk of students being concerned and/ or complaining that the process of consideration is vulnerable to prejudice or bias. The current regulations restricts consideration of the complaint to a single individual whereas the proposed approach requires consideration by a panel.

### Equality and Diversity

The proposed regulations will affect all students equally and are not expected to adversely impact on any protected characteristic.

### Timing of decisions

A decision to approve the revised regulations at June LTC would allow the necessary practical processes to be put in place so as to implement the new regulations with effect from September 2017.

### Further Information

For further information please contact: Dr Jon Sharp, Director of Student Services;  
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## **Background**

The existing regulations covering the consideration of non-academic complaints are somewhat unwieldy, have potentially confusing and multiple time-frames, rely excessively on a single decision maker and are thus vulnerable to accusations of prejudice and/ or bias.

The proposed regulations are intended to remove the vulnerability by introducing a panel approach to consideration at both Stage One and Stage Two of the process. In addition, the panel composition reflects the University's approach to the consideration of non-academic matters of judgement (eg Non Academic SSDC Panels) by including a student representative at both stages.

The new regulations have been designed to effect a more timely consideration of complaints and to ensure that the process is transparent for all involved parties.

## **Discussion**

### **Non-Academic Complaints Regulations**

#### **1. Purpose**

- 1.1 The Non-Academic Complaints Regulations are intended to allow the formal raising of concerns by UEA Students\* undertaking taught or research programmes regarding matters which are the responsibility of the University, but which do not directly relate to a student's programme of study, its associated academic facilities nor to an academic result, such as marks. We take students' concerns seriously at UEA and the Procedure is designed to enable their effective consideration and the enacting of timely remedies as appropriate. If a more appropriate route exists to consider the substantive concern, the student will be advised to engage with the relevant alternative procedure.
- 1.2 The Non-Academic Complaints Procedure is designed to be easy to use, timely, transparent and consistent in its treatment of cases.
- 1.3 The Non-Academic Complaints Procedure comprises three parts: an informal stage; a formal Stage One, in which the Stage One Non-Academic Complaints Panel (NACP) considers the appeal, and a formal Stage Two, which a Student may follow if dissatisfied with the outcome of the Stage One appeal.
- 1.4 A Guidance document for staff and students detailing the processes associated with these regulations is available from Student Support Services

\* *Students studying at UEA, or registered with UEA and based at the John Innes Centre, Sainsbury Laboratory or Institute of Food Research. For students based at the John Innes Centre, Sainsbury Centre, Sainsbury Laboratory or Institute of Food Research, Stage One complaints will be considered by the NACP. Students on validated or accredited programmes at partner institutions wishing to submit a complaint should use the relevant procedures at their place of study.*

#### **2. Commitments**

- 2.1 Students who submit a case under this procedure will not be unfavourably treated for having done so. Any Student who believes that s/he has been less favourably treated as a result of submitting a case should immediately contact

the relevant Director of University Services.

2.2 The University expects that Students will not engage in frivolous or malicious complaints. It should be noted that if an appeal or complaint is found to have been brought with mischievous or malicious intent this may provide grounds for disciplinary action against the student.

2.3 The University will operate in accordance with its Equal Opportunities Policy when applying the Non Academic Complaints Regulations.

2.4 Students should be aware that any information they supply will be treated with due discretion and on a 'need to know' basis

2.5 All personal information will be processed by the University in accordance with the Data Protection Act 1998.

2.6 Training will be provided for all University staff involved in the processing of complaints.

### **3. First Steps to Try to Resolve Concerns**

3.1 Students are encouraged to seek an informal resolution of the matter about which they are concerned before beginning the formal Procedure. Informal explorations of possible ways in which a matter may be resolved will not prejudice the consideration of a later formal submission.

3.2 Students should initially raise their concern with the department responsible for delivering the service with which they are dissatisfied. Where a student is uncertain as to where to raise a concern, or where a satisfactory resolution has not been achieved, s/he may contact Student Services to explore the possibility of informal resolution.

3.4 Should these steps not resolve the matter to the Student's satisfaction, the Student may submit a formal complaint under Stage One of the Procedure.

### **4. The Nature of the Appeal/ Complaint**

4.1 Students may complain about any aspect of their experience for which the University is responsible, but which does not form part of the delivery, management or assessment of their academic experience. Examples of the sorts of things about which a student might complain would include:

- i) Standard of University accommodation
- ii) Experience of University catering
- iii) Library Services
- iv) Learning support services
- v) Well-being service
- vi) Behaviour of fellow students in University

### **5. Submitting a Stage One Non-Academic Complaint**

- 5.1 Students must submit a completed Stage One Non-Academic Complaint Form to the Student Support Service. Forms can be downloaded at (INSERT LINK). Students should submit all relevant evidence with their form.
- 5.2 The formal consideration of the complaint may be suspended where appropriate, pending clarification by a Student that s/he has tried to resolve the matter s/he is concerned about informally before beginning the formal Procedure.
- 5.4 A Student may decide to withdraw an appeal or complaint at any time prior to its consideration by the NACP

## **6. Consideration of the Stage One Complaint**

- 6.1 Stage One Complaints that meet the grounds for consideration (see 4.i above) shall be considered by the Non Academic Complaints Panel (NACP), which shall meet with a frequency that ensures that the time between submission and consideration by the panel does not exceed 20 working days for any case (normally this will require monthly meetings).
- 6.2 The Panel shall comprise: a manager from Student Services (Chair), A School Manager and student representative and an experienced Student Services secretary.
- 6.3 The Student Support Service Office will provide the NACP with the documentation submitted by the Student under Stage One and a summary of the case.
- 6.4 The Student Support Service Office will, within 5 working days of receipt of the Appeal or Complaint, write to the student acknowledging receipt and informing the student of the date of the next meeting of the NACP at which their case will be considered. This letter will also inform the student of the date by which they should normally expect to be advised of the Panel's decision.

## **7. Timescales for Stage One**

- 7.1 The Student's submission including any supporting documentation must be received no later than 20 working days after the date on which the attempt to resolve matters informally was concluded. This date shall be the date of the last communication to the student regarding the outcome of the informal stage (This may include, inter alia, meetings, emails, and letters)
- 7.2 Complaints submitted after the deadline (see 7.1 above) with good reason for the delay may still be considered. The Student should contact the Student Support Service if s/he is unable to meet this deadline.
- 7.3 The decision by Director of Student Services as to whether a late submission should be accepted shall be final and not subject to appeal.

7.5 In normal circumstances the student shall be advised of the outcome of his/her Stage One Complaint within 10 working days of the date of the NACP meeting. Where the complexity of the case prevents this the student shall be notified of the delay.

## **8. Actions and outcomes at Stage One**

8.1 A NACP will uphold complaints where any of the following are found:

- i) Correct procedures were not followed.
- ii) The student experienced unfair or unequitable treatment.
- iii) The student experienced undue delay in the delivery of a service or the provision of a response to an earlier enquiry
- iv) The University failed to deliver an appropriate level of service
- v) The student received inadequate or inaccurate advice or guidance
- vi) The experience of the student is at odds with the level of service which they might reasonably expect

8.2 The possible remedies to an upheld complaint will, by the nature of complaints, be too individual to summarise here. They shall be determined by the NACP, will not involve any adjustment to academic outcomes (since academic outcomes must be addressed through the Appeals route) and where a concession would be needed to allow the proposed remedy to apply the Chair of the relevant NACP should seek advice from ADTP or ADRP as appropriate.

8.3 NACPs shall be able to agree compensatory payments to be made to students in relation to upheld complaints up to a limit of £1,000. If it is felt that such compensation would provide an insufficient remedy the Chair of the relevant NACP should seek advice from the Director of Student Services who will liaise with the relevant budget holder as appropriate.

8.7 In all cases the Secretary to the NACP shall write to advise the student of the outcome of the consideration of their case in accordance with 7.5 above.

8.8 The letter shall advise the student that a Stage Two Appeal or Complaint can only be submitted if the student believes that correct procedures were not followed at Stage One. The letter shall advise the student that, if they do not intend to pursue a Stage Two Appeal or Complaint on those grounds, the student may treat the Stage One outcome letter as a completion of procedures notification and, if they wish, exercise their entitlement to contact the Office of the Independent Adjudicator.

## **9. Submitting a Stage Two Non-Academic Complaint**

9.1 A Stage Two Non-Academic Complaint can only be considered where the student claims that there was a procedural irregularity at Stage One. This

includes the claim by the student that evidence was not fully and properly considered. Where a Stage Two complaint is submitted on grounds other than those permitted within the regulations it shall not be considered by a panel and the student will be advised to submit a complaint to the Office of the Independent Adjudicator.

9.2 A Student must submit a completed Stage Two Complaint Form (INSERT LINK) along with any supporting documentation to the Student Support Service

9.3 A Student may decide to withdraw an appeal or complaint at any time prior to its consideration.

9.5 The Student Support Service will, within 5 working days of receipt of the Complaint write to the student acknowledging receipt.

## **10. Consideration of the Stage Two Appeal or Complaint**

10.1 Complaints that meet the grounds for consideration (see 4.i above) shall be considered by the Stage Two Non Academic Complaints Panel (NACP2), which shall meet with a frequency that ensures that the time between submission and consideration by the panel does not exceed 20 working days for any case.

10.2 The Panel shall comprise: The Head of Student Services (Chair), a Senior Faculty Manager and a student representative and an experienced Student Services secretary.

10.3 The Student Support Service Office will provide the NACP2 with the documentation submitted by the Student under Stage One and a summary of the case.

10.4 The Student Support Service Office will, within 5 working days of receipt of the Appeal or Complaint, write to the student acknowledging receipt and informing the student of the date of the next meeting of the NACP2 at which their case will be considered. This letter will also inform the student of the date by which they should normally expect to be advised of the Panel's decision.

## **11. Timescales for Stage Two**

11.1 The Student's submission including any supporting documentation must be received in Student Support Services no later than 15 working days after the date on which the student was formally advised of the Stage One outcome.

11.2 Complaints submitted after this deadline with good reason for the delay may still be considered. The Student should contact the Student Support Service if s/he is unable to meet this deadline.

11.3 The decision by the Director of Student Services as to whether a later

submission should be accepted shall be final and not subject to appeal.

11.4 In normal circumstances the student shall be advised of the outcome of their Stage Two Complaint within 20 working days of the date of receipt by the relevant Service Office. Where the complexity of the case prevents this the student shall be notified of the delay.

## **12. Actions and Outcomes at Stage Two**

12.1 A Stage Two Complaint shall be upheld where there is evidence that correct procedure was not followed at Stage One

12.2 Where a Stage Two Complaint is upheld the panel shall consider the substance of the case in accordance with paragraphs 8.1-8.6 above, determining such remedy as the panel regards as appropriate.

12.3 Where there is no evidence that correct procedure has not been followed the complaint shall be rejected and there shall be no further right of complaint within the University.

12.4 The outcome letter referenced in 11.4 above shall serve as a completion of procedures letter and will advise the student of their entitlement to contact the Office of the Independent Adjudicator should they be dissatisfied either with the rejection of the complaint, or in cases where the complaint is upheld, with the proposed remedy.