

# Complaints and Appeals Procedure



# Complaints and Appeals: Our Values

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**Why have complaints and appeals procedures?**

At University of Staffordshire we aim to support you to achieve your potential. We create a learning environment which is supportive and based on real-world expectations.

This means we set high standards for you and ourselves.

We hope nothing goes wrong, but if it does, we will do all we can to put it right. Please talk to someone if you think things aren't going right and we will explain what's happening and work with you to sort things out. Just talk to us as soon as you can. This could be with your Personal Tutor or member of your Course Team. Alternatively, you can talk to your Course Rep who will be happy to raise any issues, on your behalf, at the Course Committee Meeting.

In return, we promise to listen to your views and to be honest with you if we could have done things better. We will always aim to put you back in the position you were in before things went wrong.

If you do need to complain or appeal, all we ask is that you tell us in a timely way, as set out in these procedures, and provide supporting evidence. If we can learn from your complaint or appeal, to improve the student experience for others, we will.

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**What should I expect and what can you expect of me?**

While complaints and appeals are two different processes, you can expect that we will manage them in the same way.

Complaints and appeals are managed by a team who will ensure that someone outside of your course will consider your circumstances, making sure decisions are independent and fair.

We will treat your complaint or appeal independently of your other work and you will not be disadvantaged. For this reason, we don't normally allow you to make an anonymous complaint. However, if there are exceptional circumstances, we will consider this.

We set deadlines in our procedures, for ourselves and for you. If we can't meet one of our deadlines for good reason, we will always let you know the reason why. We expect you to meet

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your deadlines too, you must let us know if there is good reason why you can't.

We understand that it may be difficult to talk about your personal circumstances. However, the only people we will share your complaint or appeal with are those considering your case.

We expect you to be respectful and honest when you make a complaint or appeal and we will treat you in the same way. Repeatedly making the same complaint or appeal or knowingly making a complaint or appeal which is without merit, or is malicious, is not acceptable. Nor is using rude or abusive language.

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### **Reasonable Adjustments**

If you have a disability you can request that a reasonable adjustment is made to prevent you from being disadvantaged. Please let us know as soon as possible if this applies to you.

All meetings undertaken within this procedure can be held digitally.

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### **Support during the procedure**

We know that this can be a difficult period and we want to make sure that you have the support you need. You can access our Student Guidance Advisors by e-mailing [support@staffs.ac.uk](mailto:support@staffs.ac.uk) at any point during the procedure.

You may also bring a fellow student or Students' Union representative to any meetings during the complaints or appeals procedures.

You can gain support and advice from the [Student Guidance Advisors](#) or independent advice from the [Students' Union Student Advice Team](#).

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### **Pause in Proceedings**

We will not consider a complaint or appeal about anything which is subject to legal proceedings. This means that if there is a legal case relating to anything which you ask us to consider, we will pause our process until the legal proceedings are concluded.

If multiple proceedings are used by a student at the same time, the University may decide which takes precedence.

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### **What process should I use?**

We understand that it can be difficult to decide which process is right for you. To help you decide, we will be clear about which process you should use in different circumstances. If you don't meet the criteria for a procedure, we will advise you of any alternative route.

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# Should I Complain or Appeal?

| Complaint                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Appeal                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>A complaint is when you believe that you have been unfairly treated or a service has not been provided.</p> <p>If we find that we have let you down, we will look to find the best solution to put things right.</p>                                                                                                                                                                                                                                                                        | <p>An appeal is when you ask the University to change its decision on your marks, progression or final award.</p> <p>We cannot change an academic decision because you believe that you should have been given more marks. This is because academics use their knowledge and expertise to mark your work. Universities do not accept a challenge to academic judgment as a reason to appeal.</p>                     |
| <p>Examples of why you might complain are where you have evidence that:</p> <ul style="list-style-type: none"> <li>• Your course is not as publicised.</li> <li>• The learning resources or facilities on your course are not acceptable.</li> <li>• A service provided by the University or on behalf of the University has been poor.</li> <li>• That you have been treated unfairly by the University.</li> <li>• The teaching or administration on your course is unacceptable.</li> </ul> | <p>Examples of why you might appeal:</p> <ul style="list-style-type: none"> <li>• There has been a mistake in the assessment process. For example, you submitted your work, but your results notification says that you did not.</li> <li>• You could not submit your work or inform us because you were unexpectedly in hospital.</li> <li>• There has been an error in a review point or viva decision.</li> </ul> |

# Complaints

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## What is a complaint?

A complaint is when you believe that the University has treated you unfairly or a service has not been provided.

You cannot complain about your marks, but you can appeal. This is when you ask the University to change its decision on your results, progression or final award.

## Who can complain and when?

If you are studying on a University of Staffordshire course, or have studied on a course in the last 12 weeks, you can use the University's Complaints Procedure. We will always work directly with students to resolve any concerns and for this reason we will not accept complaints from parents or family members.

You can also use this procedure if you are **directly** affected by a service of the University, for example if you have booked the University's rooms or facilities.

You should make a complaint within 2 weeks (excluding bank holidays and University closures) of the circumstances you are complaining about. This is because the sooner we know what has happened, the sooner we can work it through with you, and the outcome is likely to be better for you.

## What if I am complaining about a college, partner provider or the Students' Union?

You may be studying on a University of Staffordshire course which is delivered by one of our partners. You will be notified where this is the case, during your application, and when you receive your offer.

If you are studying a University of Staffordshire course at another college or provider, or you wish to complain about the Students' Union you will need to use their complaints procedure to resolve your concerns.

If you are unhappy with the way that your complaint has been considered, we can review it. Please see [What if I disagree with the decision?](#)

## What if I am studying on an apprenticeship course?

If you are studying on an apprenticeship and you need to raise a concern about your course, or any other service that the University has provided to you, you should use this procedure.

## What is early (informal) resolution?

Early resolution is swift, informal local resolution of straightforward concerns. You should raise informal concerns directly with your course team or the service involved as soon as possible and within 2 weeks.

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It may be that we can take some quick action, or provide an explanation, which resolves things for you. If appropriate we will put this in writing.

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## Formal Complaints

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### **When should I use the formal complaints procedure?**

We will use the formal procedure to consider your complaint when early resolution has not been successful or is not appropriate, or if your complaint is more complex or serious.

### **How can I make a formal complaint?**

You can submit a formal complaint via “request something” on the [Solve portal](#).

The Registry will assess your complaint to ensure that:

- a) You are a current or former student who studied with us in the last 3 months.

And

- b) Your complaint is on time, within 2 weeks (excluding bank holidays and University closures) of the circumstances complained about or from the point that the informal investigation has ended.

And

- c) Your complaint has already been raised informally or is not appropriate for early resolution.

And

- d) Your complaint is supported by relevant independent evidence

If your complaint does not meet all the above, we will not consider it and we will write to you explaining the reason why. If you disagree with this, you can request for the decision to be reviewed. We will ensure that this is reviewed by a senior manager within your School.

If we feel that early resolution is possible, we will treat your complaint informally, because this is likely to deliver a quicker and more effective outcome.

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### **What can I expect to happen?**

We will ask an Investigating Officer to look into your concerns and they will follow the guidelines we set out in the Guidelines for the Investigation of Formal Complaints.

The Investigating Officer will normally meet with you to discuss your complaint and you will be expected to evidence your complaint. They may also need to speak to others to enable them to reach a conclusion.

At the end of their investigations, they will complete a report which will be returned to a senior manager within the School or Service that the complaint relates to. A formal decision letter and a copy of the report will be sent to you. We will normally aim to

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complete the formal complaints process within 7 weeks of you providing all information about your complaint to us excluding bank holidays and University closures.

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# What if I disagree with the complaint decision?

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## **Why request a review?**

If you do not agree with a complaint decision, you can request that it is reviewed, although the grounds for doing so are limited. When you are informed of the decision on your case, you will be given details of how to submit an appeal if you wish to do so.

The review process is evidence based, and so any request must include independent, relevant evidence to explain and support your reasoning. The Student Guide to Providing Evidence gives more guidance about the type of evidence that might be appropriate.

Requests for a review must be submitted within two weeks. Please note that timelines exclude bank holidays and University closures. After that, a request for a review will only be accepted if you have demonstrated that there was nothing that you could have done to submit it on time.

A review is not a reconsideration of your complaint. A review is to check that procedure has been followed and that a reasonable outcome has been reached. You can request a review for the following reasons:

- a) The Complaints Procedure was not followed properly and this has affected the outcome.
- b) The decision reached was not reasonable in view of all the circumstances
- c) You have new evidence which you were not able to provide earlier in the process, for valid reason.

You will need to explain which of these reasons you are requesting a review for, and you will need to provide evidence to support your reasons.

If your complaint does not meet all the above, we will not consider it and we will write to you explaining the reason why.

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## **What can I expect to happen?**

If we accept your request for a review, we will appoint a Reviewing Officer who will be a senior person who does not work in the School or Service you have complained about.

The Reviewing Officer will assess whether you have met the grounds for review. If you have, we will look at how this affects the outcome of your complaint. This does not always mean that we will carry out a full reconsideration of the facts of the

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complaint, but we will review any new information you have provided to see if this would change our decision.

At the end of the review, the Reviewing Officer's findings and a decision letter will be sent to you. We will normally aim to complete the complaints review process within 4 weeks of you providing all information about your review to us, excluding bank holidays and University closures. Where applicable, this will be a Completion of Procedures letter.

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**What if I still disagree with the outcome?**

If you disagree with the decision on your complaint, you have the right to make a complaint to the Office of the Independent Adjudicator (OIA) within one year of the decision. You can find out more by clicking [here](#).

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## Appeals

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**What is an appeal?**

An appeal is when you ask the University to change its decision on your results, progression or final award. If you are studying on a research course, it is when you ask for a review of an early, mid or late stage review or a viva decision.

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**When can I appeal?**

The only reasons you can appeal are:

- a) If your results have been affected by the University not following its own assessment procedure. If you are a research student, this may include the arrangements for your supervision.

Academics use their knowledge and expertise to mark your work. This is academic judgement. You cannot appeal because in your opinion this judgment is wrong.

- b) You had exceptional circumstances which you could not reasonably apply for, or evidence, using the [Exceptional Circumstances Procedure](#).

You must use the Exceptional Circumstances Procedure in all possible cases. We will not accept your appeal if we feel that you could reasonably have used the Exceptional Circumstances Procedure. We will use guidance from the [Office of the Independent Adjudicator](#) to make this judgment. The University will not accept the following as valid reason for not using the Exceptional Circumstances Procedure:

- that you were unwilling to share your personal circumstances
- that you did not understand the impact of your circumstances



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- that you were too unwell to use the Procedure but continued to study or work.
  - that you did not know about or understand University procedures.

Appeals on the grounds of exceptional circumstances will not normally be accepted if you have passed the assessment or module you are appealing about.

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**What if I am studying with a college or other provider?**

If you are studying a University of Staffordshire course at another college or provider, this appeals procedure applies to you.

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**What if I am studying on an apprenticeship course?**

If you are studying on an apprenticeship course, this appeals procedure also applies to you.

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**How and when can I appeal?**

Appeals against an Award Board decision are submitted through a process on eVision. To do so, log into your eVision account, access the “My Student Information & Support” tab and follow the process to submit an appeal. This will ask you a series of questions to help to establish whether your appeal is eligible for consideration. It will also help to ensure you have provided all the information we need to assess your appeal.

You can appeal up to two weeks (excluding bank holidays and University closures) following publication of your results on e:vision. After that, we will only accept an appeal if there was nothing you could have done to submit it on time.

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**What evidence should I provide?**

You must provide evidence to support your appeal. For example,

Evidence that we did not follow our procedures in the assessment of your work and the effect this had on your results.

Evidence that you could not have used the Exceptional Circumstances Procedure, for example that you were in hospital at the time.

We expect you to be honest in how you explain and evidence your circumstances, if you are found to have made a false statement or provided false evidence, this will be considered in accordance with the [Academic Conduct Procedure](#).

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# What happens after I submit my appeal?

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The Registry will check that your appeal is:

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**Will my appeal be considered?**

- On time, within 2 weeks (excluding banks holidays) of your results publication.
  - Meets one of the reasons to appeal.
- and
- Is supported by evidence.

If your appeal does not meet all the above, we will not consider it and we will write to you explaining the reason why.

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**Who will make the decision on my appeal?**

If your appeal is eligible, it will be considered by a Head of Department or nominee in your School. We will respond to your appeal within as soon as we are able to. Where cases take more than two weeks, we will normally provide updates every four weeks so that you know more about the progress of your appeal.

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**What decisions can be made?**

We may give you another chance to complete the work.

Or

We will correct any mistake that has been made, where possible, or make alternative arrangements to minimise the effect that this has had.

If your progression has been affected, we may ask the University Assessment Board for Exceptions to review your case.

Or

We may agree with the original decision appealed against and no changes will be made.

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**What if I disagree with the appeal decision?**

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**Why request a review?**

If you do not agree with the decision we have reached on the eligibility or outcome of your appeal you can request that the decision is reviewed, although the grounds for doing so are limited. When you are informed of the decision on your case, you will be given details of how to request a review if you wish to do so.

The review process is evidence based, and so any request must include independent, relevant evidence to explain and support your reasoning. The [Student Guide to Providing Evidence](#) gives

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more guidance about the type of evidence that might be appropriate.

Requests for a review must be submitted within two weeks. Please note that timelines exclude bank holidays and University closures. After that, a request for a review will only be accepted if you have demonstrated that there was nothing that you could have done to submit it on time. A review is not a reconsideration of your appeal. A review is to check that procedure has been followed and that a reasonable outcome has been reached. You can request a review for the following reasons:

- a) The appeal procedure was not followed properly and this has affected the outcome.
- b) The decision reached was unreasonable in view of all of the circumstances.
- c) You have new evidence which you were unable to provide earlier in the process, for valid reasons.

You will need to explain which of these reasons you are requesting a review for, and you will need to provide evidence to support your reasons.

If your appeal does not meet all the above, we will not consider it and we will write to you explaining the reason why.

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## What happens to my review?

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### **Will my review be considered?**

The Registry will check that your request for a review meets the same eligibility test as set out above for your original appeal.

If your request for a review does not meet all the criteria, we will not consider it and we will write to you explaining the reason why.

### **Who will make the decision on my review?**

If your request for a review is eligible, an appropriate senior manager will review it.

### **What outcome can I expect?**

The review will apply one of the outcomes which could have been applied in your original appeal. We will respond to your review as soon as we are able to. Please note that timelines exclude bank holidays and University closures. Where applicable, this will be a Completion of Procedures letter

### **What if I still disagree with the outcome?**

If you disagree with the decision on your appeal, you have the right to make a complaint to the Office of the Independent

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Adjudicator (OIA) within one year of the decision. You can find out more by clicking [here](#).

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