

Bodmin College/Falmouth University Higher Education Courses

**Complaints Policy and Complaints Procedure**

This policy and procedure is applicable to students and prospective students who are studying, or who are considering study, for a Falmouth University degree at Bodmin College. Bodmin College Higher Education Courses are **franchised provision**, where you are enrolled at the University and registered on a University-owned course.

Where the complaint concerns academic standards at the collaborative partner (e.g. the quality of teaching) the University will review the complaint under Step 3 of its Complaints Procedure. You will be notified of this decision in writing and, in such cases, the University will issue the Completion of Procedures letter. You will have recourse to the OIA after the University's Step 3 procedures have been completed

**1. Definition of a complaint**

A complaint is defined as “an expression of dissatisfaction concerning Bodmin College in respect of academic standards or a professional service”. The point of complaint starts when the complainant has drawn their concern to the attention of a Bodmin College employee/member of staff.

**1.1 Important points to note:**

- Students will not be discriminated against or suffer recrimination for making a complaint;
- Complaints cannot be made anonymously;
- Bodmin College's relationship is with the student. Therefore, students should note that, under Data Protection legislation, Bodmin College and/or the University cannot deal with third party complaints without the written permission of the student unless a third party has been formally authorised or instructed to act on a student's behalf (this includes complaints made by a student's parent(s) or spouse). Whilst correspondence will then be copied to the student (unless specifically directed to the contrary by the student), Bodmin College and/or the University will only deal with the single individual authorised to act on the student's behalf in respect of a complaint.
- Students must adhere to the timeframes outlined in the procedure. Failure to do so may result in the complaint being rejected or the investigation being delayed.

**1.2 Responsibility for managing complaints**

Students studying with Bodmin College are enrolled and registered on course(s) that are owned and validated by Falmouth University. The University is ultimately responsible for academic standards on the course(s), whereas Bodmin College is ultimately responsible for all other professional services associated with the course(s). It is therefore important that students understand to whom they should address their complaint. The table below is intended to help the student determine which procedure s/he should follow.

<b>Nature of the complaint</b>	<b>Step 1 – Early Resolution</b>	<b>Step 2 – the Formal Stage</b>	<b>Step 3 – the Review Stage</b>
Academic standards: e.g. teaching standards; quality of assessment feedback and/or course content.	Refer to Procedure 2.1 to 2.3	If the matter remains unresolved following Step 1, refer to Procedure 2.4 to 2.8 and Falmouth University Complaints Procedure	Refer to Falmouth University Complaints Procedure
Professional services: e.g. pastoral support; technical support; College campus facilities; accuracy of marketing materials/promotions etc.	Refer to Procedure 2.1 to 2.3	If the matter remains unresolved following Step 1, refer to Procedure 2.10 to 2.13	If the complainant remains dissatisfied following the completion of Step 2, refer to Procedure 2.14 to 2.19

## **2. Procedure**

2.1 You should raise your complaint as soon as possible after the specific issues and/or events against which you wish to complain occurred, and within the timescales stated within the Complaints Procedure. This process allows the University to investigate and respond to your claims and, where necessary, make changes. If significant time has passed since the issues/events about which you wish to complain took place, it may be difficult and/or impossible for Bodmin College to conduct a fair and proper investigation into the circumstances and details of the complaint.

If there is a delay in submitting a complaint, you may be asked to explain the reason for the delay. If you do not have a valid reason, your complaint may be determined to be out of time, and will not be investigated.

2.2 As far as possible complaints should be raised initially with a relevant member(s) of staff. Every effort will be made to facilitate early resolution and it should be possible for the majority of complaints to be resolved quickly and effectively at this informal level. If you make a complaint which has not been raised informally in the first instance, it may be referred back to the early resolution stage if appropriate.

Complaints cannot be made anonymously. If another person is named in a complaint, they have a right to know what is being alleged, and to know who is making the complaint. However, all complaints will be dealt with sensitively, in the spirit of conciliation, and as far as possible, confidentiality will be maintained.

2.3 If the student believes that the matter is still unresolved, or there are compelling reasons as to why early resolution is not possible or appropriate, the student may lodge a formal complaint as outlined below in Step 2.

#### **2.4 Step 2 – the Formal Stage: complaints concerning academic standards**

‘Academic standards’ include matters such as:

- teaching standards on the course;
- quality of feedback on assessment; and
- quality of course content.

If the complaint concerns a professional service that is offered/delivered by Bodmin College, the complainant should refer to 2.10 of this procedure.

2.5 Where the complaint concerns academic standards then the student should submit their complaint in writing to Falmouth University using the postal or email address below:

Quality Assurance & Enhancement  
Falmouth University  
Woodlane  
Falmouth  
TR11 4RH

Email: [gae@falmouth.ac.uk](mailto:gae@falmouth.ac.uk)

2.6 Timeframe: Step 2 must be invoked within 10 working days of the completion of Step 1.

2.7 The student should provide as much detail as possible in their complaint, including:

- full details of the cause for the complaint, including its impact;
- the action the student has taken thus far and the date(s) of that action;
- the response they have received;
- the reason for their dissatisfaction or disagreement with that response;
- the remedy that they are seeking; and
- copies of supporting evidence.

2.8 The University’s Quality Assurance & Enhancement office will ensure that the complaint is referred to an appropriate member of staff; the case will be managed in accordance with the University’s Complaints Procedures at Step 2 and, where required, at Step 3. Falmouth University’s Complaints Policy and Procedure can be accessed via the following link: [www.falmouth.ac.uk/studentregulations](http://www.falmouth.ac.uk/studentregulations)

## **Step 2 – The Formal Stage: Complaints concerning Bodmin College professional services**

‘Professional services’ include matters such as:

- pastoral support (eg welfare advice)
- technical support
- College campus facilities
- accuracy of marketing materials/communications, promotions etc.

2.9 Where the complaint concerns a professional service that is provided by Bodmin College, then the complainant should put their complaint in writing to the Course Coordinator or the Principal using the postal or email address below:

[Principal@bodmincollege.co.uk](mailto:Principal@bodmincollege.co.uk)

2.10 Timeframe: Step 2 must be invoked within 10 working days of the completion of Step 1.

2.11 The student should provide as much detail as possible in their complaint, including:

- full details of the cause for the complaint, including its impact;
- the action the student has taken thus far and the date(s) of that action;
- the response they have received;
- the reason for their dissatisfaction or disagreement with that response;
- the remedy that they are seeking; and
- copies of supporting evidence.

2.12 Students will receive an acknowledgement of their complaint within 5 working days. Bodmin College will endeavour to respond to the complaint, in writing, within 10 working days. Depending on the complexity of the complaint, the final response might take longer, in which case the student will be advised of this in the initial correspondence.

2.13 The complaint will be investigated by a member of Bodmin College staff not previously involved in the incident that is the cause of the complaint.

## **Step 3 – the Review Stage: for complaints concerning professional services**

2.14 If the student is not satisfied with the final outcome reached regarding their complaint about a professional service, then s/he may request a review of their complaint.

2.15 The grounds for requesting such a review are:

- a material irregularity in the conduct of the investigation; and/or
- where material new evidence has become available since the commencement of the investigation.

The student should submit their request, in writing, to the Principal at the following address:  
Bodmin College

Lostwithiel Road  
Bodmin Cornwall  
PL31 1DD

2.16 Timeframe: a request for review must be made within 10 working days upon receipt of the outcome of Step 2.

2.17 The complaint will be investigated by a member of Bodmin College staff not previously involved in the case at Step 1 or at Step 2.

2.18 Following the review, the student will be issued with a Completion of Procedures letter. This letter denotes the conclusion of Bodmin College's internal complaints procedures. If the complainant remains dissatisfied with the outcome, s/he may forward their complaint to the Office of the Independent Adjudicator (OIA) at the address below. The complaint must reach the OIA within 12 months of the issue of the Completion of Procedures letter.

The OIA's contact details are: Office of the Independent Adjudicator, Second Floor, Abbey Gate, 57 – 75 Kings Road, Reading RG1 3AB.

Tel: 0118 959 9813

Email: [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk)

Further details can be found on the OIA website at: [www.oiahe.org.uk](http://www.oiahe.org.uk)

2.19 Only students enrolled and registered for a Falmouth University award are eligible to refer their complaint to the OIA. Prospective students and applicants do not have recourse to this service.

### **3 Matters which are not covered by the University's Complaints Procedure**

3.1 Some issues cannot be dealt with under the Complaints Policy. For example, this policy cannot be used to appeal against a decision made under the Student Disciplinary Policy or by an Assessment Board. Students wishing to make an appeal should read the **Appeals Policy and Appeals Procedure**.

3.2 Complaints about services provided by other organisations should be directed to those providers for resolution.

3.3 All students are expected and required to be aware of and abide by the University's regulations, policies and procedures, and ignorance of any particular regulation, policy or procedure is not valid grounds for complaint.

For example, the Fees Policy states that tuition fees are payable for each year of study and are subject to annual inflation-linked increases. Complaints may not be submitted on the grounds that you do not agree with the advertised fee increase against which you have enrolled.

3.4 If any aspect of your complaint is shown to be malicious, dishonest and/or vexatious, the complaint will not be considered. Examples include:

- complaints which are obsessive, harassing, or repetitive
- insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes
- insistence on pursuing what may be meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress which lack any serious purpose or value.

If your complaint is deemed to be malicious, dishonest and/or vexatious the University will issue a Completion of Procedures letter. Depending on the circumstances you may also and you may be referred to the University's Student Disciplinary Policy and Procedure.

### **1 Third party communication**

4.1 The University's relationship is with you as a student, irrespective of who pays your fees. Bodmin College will not deal with a third party complaint made on your behalf unless there is a valid reason, for example, a reasonable adjustment for a diagnosed disability. In cases where a third party complaint is appropriate, you will be required to complete a Third Party Consent Form in order to formally authorise a third party (such as a parent or guardian, carer, spouse or significant other) to act on your behalf. Where a Third Party Consent Form is received, Bodmin College/the University will only correspond with the individual authorised to act on your behalf.

4.2 In line with the provisions of the General Data Protection Regulations, Bodmin College/the University has a policy on the confidentiality of information held about individual students. Therefore, information relating to a complaint cannot be released to a third party other than when required by law or with the written consent of the student. If you would like to give your consent for Bodmin College/the University to discuss your complaint with a third party, please complete a Third Party Consent Form.