



UNIVERSITY COLLEGE  
OF ESTATE MANAGEMENT

# **UCEM Code of Practice**

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## Student Appeals and Complaints

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**UCEM Code of Practice**  
Student Appeals and Complaints

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# UCEM Code of Practice

## Student Appeals and Complaints

### 1. Introduction

This Code of Practice chapter and the accompanying documents (see appendices) apply to all UCEM programmes, including those delivered in collaboration with validating partners and other providers. They have been developed in consultation with UCEM's validating partners and with reference to the *QAA UK Quality Code for Higher Education chapter B9 Academic appeals and student complaints* and the OIA Good Practice Framework for handling complaints and appeals. UCEM has separate procedures for dealing with student complaints and student appeals and these are available via the virtual learning environment (VLE) and UCEM website (see also the appendices to this document). The UCEM Academic Board retains ultimate responsibility for approving the operational framework for academic appeals and student complaints procedure and for instigating a rolling programme of review.

UCEM aims to treat all complaints and appeals appropriately, fairly and with regard to applicable law, and in line with UCEM's Code of Practices on Equality and Diversity and Disability and Additional Needs. Both the UCEM academic appeals and student complaints procedures give due consideration to the needs of UCEM students to raise issues of concern with the assurance that such issues will be treated in confidence and with impartiality. UCEM has designated contacts for students that want to seek advice and support when making a complaint or an appeal. UCEM also has an obligation to ensure that students submitting a complaint or an appeal are placed on an equal footing procedurally; this may involve facilitating a student in making a complaint or an appeal. There is the opportunity within both the complaints and appeals processes for the student to present their case.

UCEM however reserves the right to exclude or remove a student from a programme if he/she makes repeated, unfounded or vexatious appeals and/or complaints regarding the programme and/or its delivery where, in the opinion of UCEM, his or her conduct is considered to be mendacious or frivolous. Making repeated and/or unfounded false, malicious and vexatious appeals and/or complaints may be considered misconduct and result in the application of the [Disciplinary Policy and Procedure](#).

Former students may complain or appeal, according to the timelines set out in this Code of Practice chapter (see Sections 2.1 and 3.1 and the process diagrams in Appendices B and C).

### 2. Appeals

UCEM defines an appeal as *'a request for a review of a decision taken by an individual or body (i.e. one of the UCEM committees) charged with determining applications for admission and making decisions about students' progression, assessment, and awards'*. Appeals are normally, but not exclusively, related to decisions on admissions, disciplinary decisions, decisions on the provision of reasonable adjustments, or decisions made by the, Academic Misconduct Committee, Mitigating Circumstances Committee, or the Board of Examiners<sup>1</sup>. However, appeals cannot be made against academic judgment.

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<sup>1</sup> A Board of Examiners is one of the following: Module/Unit Board; Results Board; Progression and Awards Board

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UCEM has a designated Appeals Officer to oversee the process and to offer support and guidance to students in making an appeal. In order to capture learning, an annual report is issued to the Academic Board, providing a summary and will contain an evaluation of the appeals received during the reporting period.

### 2.1 The appeal process

The UCEM appeals process is defined within the Student Appeals Procedure document. The UCEM appeals procedure consists of three stages as shown in Appendix B.

Before making an appeal, it is recommended that students seek advice and guidance from a trusted source, such as the Lead Student Representative, Student Advice, the Apprenticeship Team or their tutor. The Appeals Officer will be pleased to provide impartial advice regarding the Student Appeals Procedure.

All UCEM staff are encouraged to deal with issues raised by students in a timely and effective manner in line with UCEM's appeals process. Appeals should be raised in the first instance at **Stage 1 (Informal Appeal)** of the procedure with the exception of appeals against disciplinary decisions which must start at Stage 2. Stage 1 appeals should be raised as soon as possible and normally no later than 10 working days after receiving the decision.

As shown in Appendix B, if no resolution is reached at stage 1, students on UCEM validated programmes have the right to raise their issue to **Stage 2 (Formal Appeal)**, using the 'Student Appeals Form', within 10 working days of the Stage 1 outcome. Students on a University of Reading-validated programme should attempt to resolve their query at Stage 1. If they wish to proceed to Stage 2, they will be required to follow the University of Reading Appeals procedure (See Appendix A of the Student Appeals Procedure).

If it is determined that the student has demonstrated valid grounds for appeal in their Student Appeal Form for Stage 2 (as outlined in the Student Appeals Procedure), their appeal will be reviewed by a Senior Academic, Educationalist or member of Professional Services staff. Stage 2 will normally be completed within 40 working days of receipt of the Stage 2 appeal.

Students on the Facilities Management Supervisor Apprenticeship should follow Stage 1 and 2 for UCEM decisions. For decisions made by the Institute of Workplace and Facilities Management (IWFM) they should follow the procedure outlined in Appendix B of the Student Appeals Procedure to request that UCEM submit an appeal on their behalf.

After Stage 2, if the student is not satisfied with the response, they may request a **Stage 3 Review** within 10 working days of the Stage 2 outcome. (Stage 3 does not apply to students on the Facilities Management Supervisor Apprenticeship.) The purpose of the review is to ensure the correct procedures have been followed, and the outcome is reasonable. It will not re-investigate the appeal unless new evidence has been provided.

At any stage, if an appeal is upheld, UCEM will undertake to offer the appropriate remedial action, depending on the nature of the appeal.

If all internal procedures are exhausted and the student remains dissatisfied with the outcome of the appeal, then the case may be eligible for consideration by the Office of the Independent Adjudicator (OIA) as appropriate. Please note that this is available for Higher Education (HE) programmes only (i.e. those at level 4 and above). Level 3 Further Education (FE) programmes do not fall within the remit of the OIA; therefore the final stage of the appeals process for level 3 programmes is Stage 3 ("Review") (except for students on the Facilities Management Supervisor Apprenticeship).

UCEM will not get involved in any appeals in relation to the apprenticeship end point assessment conducted by the Royal Institution of Chartered Surveyors (RICS). All appeals should be sent directly to the RICS.

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### 3. Student complaints

UCEM defines a complaint as '*an expression of dissatisfaction by one or more students about UCEM's action or lack of action, or about the standard of service provided by, or on behalf of UCEM*'. If a complaint is considered to be an appeal as defined in section 2 above, then the appeals process will apply and the student will be notified of this.

When handling complaints, UCEM is committed to resolving complaints in a timely manner in line with UCEM's complaints process and with due regard given to confidentiality and potential conflicts of interest. UCEM has a designated Complaints Officer to oversee the process and to offer support and guidance to students in making a complaint. The complaints process is monitored with quarterly reports to the Senior Leadership Team and Board of Trustees in order that trends in failure of provision or delivery can be identified and remedied. An annual report is also issued to the Academic Board, providing a summary and will contain an evaluation of the complaints received during the calendar year.

#### 3.1 The complaints process

The UCEM student complaints process is detailed within the document Student Complaints Procedure. A student should submit their own complaint. There is a separate process for complaints for employers of apprenticeship students (please see the UCEM Complaints Policy and Procedure for Employers of Apprentices).

Before making a complaint, it is recommended that students seek advice and guidance from a trusted source, such as the Lead Student Representative, Student Advice, the Apprenticeship Team or their tutor. The Complaints Officer will be pleased to provide impartial advice regarding the Student Complaints Procedure.

All UCEM staff are encouraged to deal with issues raised by students in a timely and effective manner in line with UCEM's complaints process. Complaints should be raised as soon as possible and normally no later than 20 working days after the issue has arisen.

As shown in Appendix C, if no resolution is reached at **Stage 1** (informal stage), the complaint should be forwarded to Stage 2 of formal complaint to UCEM's Complaints Officer. Every effort will be made to resolve complaints informally at source in the first instance. The department at the source of the complaint should respond to the Stage 1 complainant as soon as possible and within 20 working days of UCEM's receipt of the informal complaint. If the complainant is not satisfied with the outcome and wishes to proceed to Stage 2, they must normally notify UCEM within 20 working days of receiving the outcome of Stage 1.

At **Stage 2** (formal stage), the Complaints Officer will allocate the complaint to an Investigating Officer who is a member of Senior Staff who has had no previous involvement with the complaint, usually the Vice Principal – Student Experience or the Dean-Learning and Teaching. Where appropriate mediation may be offered to resolve the complaint. A written response will be issued to the student within 20 working days. If the student is dissatisfied by the outcome at Stage 2, the complaint can be referred to Stage 3, (review stage) normally within 20 working days.

**Stage 3** is undertaken by an external independent reviewer. The purpose of the review is to ensure that the correct procedure has been followed by UCEM, and the outcome is reasonable. The review will not re-investigate the complaint unless new evidence has been presented.

At any stage, if a complaint is upheld, then UCEM undertakes to offer appropriate remedial action, depending on the nature of the complaint, and meet where appropriate incidental expenses necessarily incurred by the complainant.

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### 3.2 Programmes involving partner institutions

#### 3.2.1 University of Reading Validated Programmes

Students on programmes validated by the University of Reading may submit their complaint to the University of Reading if they are not satisfied with the outcome of the UCEM process.

#### 3.2.2 Eastleigh College Apprenticeship Programmes

Apprentice students who are enrolled via Eastleigh College (i.e. where Eastleigh College is the Lead Provider) may submit their complaint in writing to Eastleigh College.

#### 3.2.3 Facilities Management Supervisor Apprenticeship

Students on the Facilities Management Supervisor Apprenticeship may submit their complaint in writing to IWFM.

### 3.3 Final arbitration

All students also have access to a final stage of recourse:

#### i) the Office of the Independent Adjudicator (OIA)

The OIA is the final arbitrator for complaints for students on Higher Education Programmes only (i.e. programmes at level 4 to 7, including apprenticeships). Any complaints referred to the OIA must be sent within 12 months of the student being issued with a completion of procedures letter.

#### ii) Education and Skills Funding Agency (ESFA)

The ESFA is the final arbitrator for complaints from students on Level 3 Further Education (FE) programmes. Any complaints should be referred to the ESFA within 12 months of the issue arising.

## 4. Completion of Procedures

For both student complaints and appeals, a Completion of Procedures Letter will be issued, or offered, to the complainant or appellant at the end of the internal procedures, when there are no matters outstanding and the final decision has been reached by UCEM regarding the matter raised. This will confirm one of the following complaint/appeal outcomes:

- a) justified
- b) partially justified
- c) not justified

The letter will contain the following information:

- Date of completion of internal procedures;
- Summary of the issues raised;
- Summary of the issues considered;
- Details of UCEM's final decision;
- What procedures/ regulations were applied;
- Details of final (external) arbitration, including the deadline for submission (see section 3.3).

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Completion of Procedures Letters will be issued no more than 28 days after the completion of UCEM's internal procedures, or the request by the student, as appropriate.

Completion of Procedures Letters will not be issued while there are still outstanding matters under the same procedure, for example, where UCEM is awaiting reconsideration of results by an exam board following a successful appeal.

## **5. Additional information and support**

Issues may be raised which fall into the category of both a complaint and an appeal. In such circumstances, UCEM will inform and advise the complainant/appellant on which specific matters will be considered under which procedure. In such circumstances, UCEM may suspend the consideration of an appeal until the complaints procedure has been completed. A formal complaint cannot be raised whilst a matter is in the process of being considered as an appeal. UCEM will keep all parties informed throughout the processes.

Students can seek support from the Lead Student Representative throughout the complaints process.

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### Appendix A Related policies

This policy should be read in conjunction with the following:

#### Reference

[QAA UK Quality Code for Higher Education chapter B9 Academic appeals and student complaints](#)

#### Benchmarked Guidance

[The Office of the Independent Adjudicator \(OIA\) Good Practice Framework for Handling Student Complaints and Academic Appeals \(December 2016\)](#)

[The OIA Good Practice Framework: Delivering Learning Opportunities with Others \(March 2017\)](#)

[OIA Guidance Note Regarding Completion of Procedures Letters \(May 2016\)](#)

[NUS: Review of Institutional Complaints and Appeals Procures in England and in Wales](#)

[Skills Funding Agency Procedure for dealing with Complaints about providers of education and training \(October 2015\)](#)

Eastleigh College [Customer Complaint/Feedback Procedure](#) (2017)

#### UCEM Policies and other documents

UCEM Student Appeals Procedure

UCEM Independent Appeals Board Terms of Reference

UCEM Student Complaints Procedure

UCEM Disability and Additional Needs Policy

UCEM Equality and Diversity Policy

UCEM Student Charter

UCEM Code of Practice Chapter on Academic Misconduct

UCEM Safeguarding Policy

All UCEM Policies are available on the UCEM website.

#### Other Benchmarking

[University of Bath Student Complaints Procedure \[accessed 17/02/2017\]](#)

[University of Warwick Student Complaints Procedure \[accessed 17/02/2017\]](#)

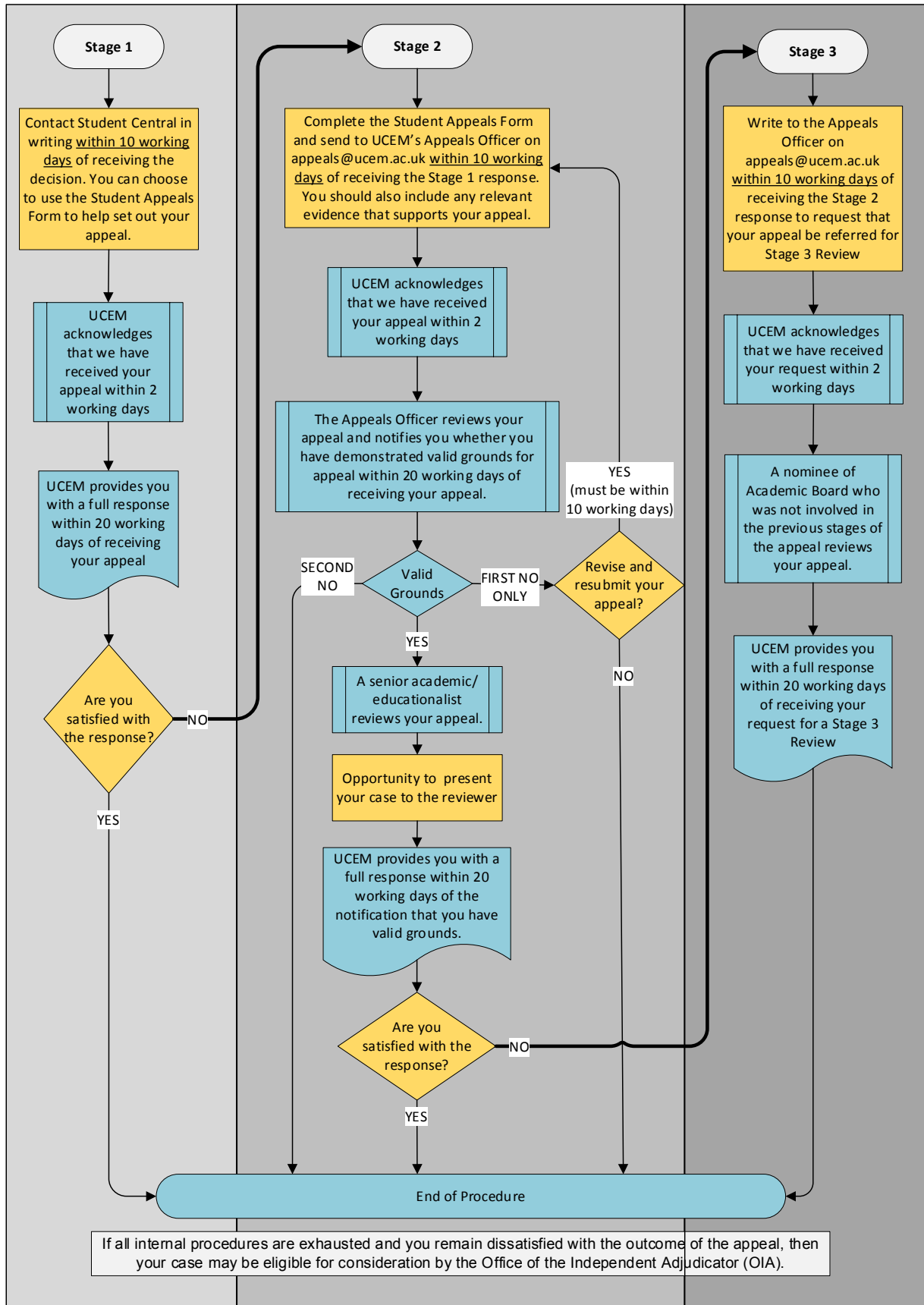
[University of Lincoln Student Complaints Procedure \[accessed 17/02/2017\]](#)



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### Appendix B Overview of UCEM Appeals Process



If all internal procedures are exhausted and you remain dissatisfied with the outcome of the appeal, then your case may be eligible for consideration by the Office of the Independent Adjudicator (OIA).

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### Notes:

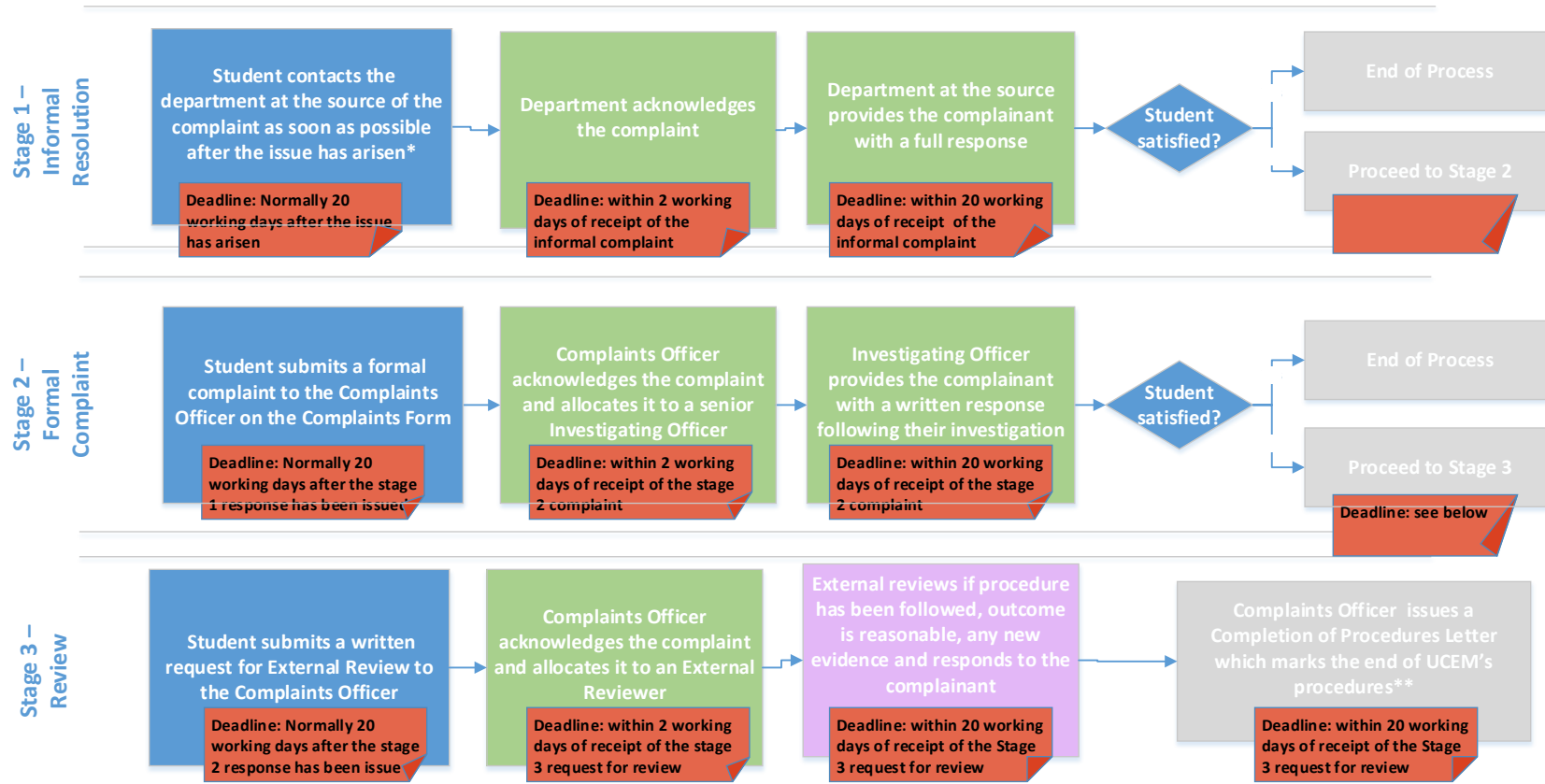
- This procedure applies to all programmes validated by the University College of Estate Management. Students on programmes validated by the University of Reading should refer to Appendix A of the [Student Appeals Procedure](#) when they have completed Stage 1 of the UCEM Appeals process, if they are not satisfied with the outcome of Stage 1.
- If you are an applicant who does not have access to Student Central, you can raise your Stage 1 Appeal by contacting [admissions@ucem.ac.uk](mailto:admissions@ucem.ac.uk)
- If you are appealing against a disciplinary decision, you should begin at Stage 2 because Stage 1 does not apply to disciplinary decisions.

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### Appendix C Overview of UCEM Complaints Process

#### UCEM Student Complaints Process



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\* Apprenticeship students wishing to make an informal complaint should e-mail [apprenticeships@ucem.ac.uk](mailto:apprenticeships@ucem.ac.uk).

\*\*At the end of Stage 3 if you are not satisfied with the response to your complaint and are on a HE programme validated by UCEM you may submit your complaint to the Office of the Independent Adjudicator within 12 months. For students on programmes validated by the University of Reading you can refer your complaint to the University of Reading when you have completed Stage 3 of the UCEM Complaints process. Those studying as part of an apprenticeship programme may submit their complaint to the CSTT or Eastleigh College (as applicable), if they are unsatisfied with the outcome of the UCEM process (i.e. stage 3 completed). The final arbitrator for complaints from further education students is the Education and Skills Funding Agency (ESFA). Any complaints should be referred to the ESFA within 12 months of the issue arising.

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**Appendix D Student Complaints Procedure**

**Appendix E Student Complaints Form**

**Appendix F Student Appeals Form**

**Appendix G Student Appeals Procedure**

**Appendix H Complaints Policy and  
Procedure for Employers of  
Apprentices**