

# University College Birmingham

## Student Complaints Procedure

Reviewed by the General Student Regulations Panel: May 2025

Approved by the Student Services and Standards Committee of the Corporation: June 11<sup>th</sup>, 2025

Date of the next Review: May 2026

### Introduction

The Complaints Procedure is available to all students enrolled at UCB. This document will use “student” to refer to all College, Sixth Form, higher national certificate/diploma, undergraduate, taught postgraduate and Block students (for example, Hong Kong Block students) and apprentices who are enrolled and registered at UCB.

The definition of a complaint, for the purposes of this Student Complaints Procedure, is:

*‘An expression of dissatisfaction by one or more students about the University’s action or lack of action, or about the standard of service provided by or on behalf of the University (Office of the Independent Adjudicator (OIA)).’*

Service-related complaints may relate to:

- a specific service provided by UCB;
- the administration or delivery of a programme;
- the facilities or learning resources provided by UCB;
- UCB’s failure to meet obligations set out in the programme or student handbook;
- UCB’s failure to follow published regulations, procedures and/or policies;
- concerns about student or staff conduct.

For other types of complaints/appeals, please refer to the process below:

- Assessment appeal - If you believe that you have grounds for an appeal against an assessment outcome (College/Sixth form) or Exam Board decision (Higher Education), please refer to the [Assessment Appeals Procedure](#), which can be found on the website.
- Complaints about an employer/work experience organisation – typically for students on an apprenticeship or completing a placement/work experience, please refer to the employer/organisation’s complaint procedure. For complaints linked to an apprentice’s time at UCB, please follow UCB’s Complaint Procedures.
- Admissions - Complaints against decisions made by the Admissions Office in the offering or refusal of places on programmes and fee financial matters, please refer to the [Admissions Complaints Policy, Section 9](#).

The Student Complaints Procedure is available to all students enrolled at UCB and remains applicable for up to 3 months after they leave. For Apprentices, College and Sixth Form students, this period ends when the awarding body confirms the award or qualification. For Higher Education students, it ends on the date of the final Examination Board meeting or the official withdrawal date.

Students may contact the Academic Registry ([registry@ucb.ac.uk](mailto:registry@ucb.ac.uk)), Student Services ([student\\_services@ucb.ac.uk](mailto:student_services@ucb.ac.uk)) or an employee of the Guild of Students ([guildinfo@ucb.ac.uk](mailto:guildinfo@ucb.ac.uk)) for advice on making a complaint. A key principle is to identify what a student is seeking as an outcome to their complaint.

## **Stages in the Complaints Process**

Students may appoint a companion from within the UCB student community to support and advise them during any stage of the formal complaint process, if necessary. This companion may be an employee of the Guild of Students or a fellow student; their identity and role must be made known throughout any formal stage of the complaints process.

### **Stage One - Early Resolution Process**

In the first instance, a student must raise any problem with a member of staff.

- College, Higher Education, and Apprenticeship students should speak to their Senior Lecturer or Head of Department.
- Sixth Form students should speak to their Tutor or Head of Year.
- Where a concern is non-academic, the Tutor/Senior Lecturer/Head of Department/Head of Year will direct the student to the appropriate professional service team.

Many issues can be resolved quickly and informally at this stage by staff who know the student and understand their circumstances.

UCB expects its staff to respond to such concerns with thoughtfulness and empathy, aiming to resolve most issues effectively at this early stage and minimise the need for formal escalation.

However, in exceptional circumstances, where Early Resolution is clearly inappropriate or unfeasible, students may proceed directly to Stage Two of the Student Complaints Procedure. In such cases, the student must provide a clear and reasoned justification for bypassing Stage One - Early Resolution Process. This justification will be reviewed to determine whether the complaint meets the criteria for formal consideration at Stage Two.

Examples of exceptional circumstances may include, but are not limited to:

- Serious allegations that require immediate formal investigation
- Situations where informal resolution has previously been attempted and failed
- Cases involving sensitive or confidential matters where informal discussion is not appropriate.

The decision to accept a complaint directly at Stage Two rests with UCB's designated complaints officer (or nominee).

## **Stage Two: Formal Student Complaints Procedure**

If, after completing Stage One, a student wishes to make a formal complaint, they must use the [Student Complaint Form](#) (which can be found on UCB's website). It is important that the student writes the complaint themselves, unless it is not possible to do so.

Students must include their full name, address, student ID number, contact details, full details of the unresolved issue, details of how the student has tried to resolve the issue informally and their expectations for the outcome. In addition, the student should also include supporting evidence and information, where relevant.

In all cases, students are required to use their student email address when submitting a complaint, except where access to a student email address has been removed.

A completed form should be sent to [studentcomplaints@ucb.ac.uk](mailto:studentcomplaints@ucb.ac.uk).

The Deputy Dean of Quality Assurance and Enhancement (QAE) (or nominee) will acknowledge receipt of the complaint within 5 working days. They may also arrange a meeting to discuss the matter with the student and their nominated companion, if applicable. Where a complaint involves a student under the age of 18, consultation with a parent/guardian will be required. Parental involvement with a student over the age of 18 requires the student's consent.

If a student has not submitted supporting evidence at the time of the complaint, and the Deputy Dean QAE (or nominee) requests the disclosure of existing documentation, the student will have 10 working days to provide all relevant evidence. This timeframe begins from the moment the request email is delivered to the student's inbox, not when it is opened or read. All formal communications will be sent to the student's UCB email address, unless access has been withdrawn.

The Deputy Dean QAE (or nominee) will decide if the complaint can be referred to an appropriate manager. If no appropriate manager can be identified, the Deputy Dean QAE (or nominee) will investigate the complaint.

Students will receive an update or response to their complaint within 20 working days. This will outline the findings of the investigation to date and any actions to be taken, if applicable. If the complaint is not upheld, the student will be provided with a clear explanation of this decision.

## **Stage Three - Appealing the Outcome**

If a student is not satisfied with the outcome of Stage Two of this process, based on a procedural irregularity and/or new evidence that previously had not been disclosed, but not deliberately withheld, a student may request a review of the decision within 10 working days of receiving the outcome.

A student must submit a written explanation to the relevant senior manager:

- For Higher Education students, students should contact the Senior Pro-Vice-Chancellor (Teaching, Learning and Digital);
- For-College students, students should contact the FE Principal;
- For Sixth Form students, students should contact the Sixth Form Principal.

If a student submits new evidence at this stage, they must explain why this was not disclosed at an earlier stage.

The Senior Manager will acknowledge receipt of the student's request for review and will investigate to ensure that appropriate procedures were followed, and that the decision was reasonable. If new evidence becomes available, such as material that was not previously disclosed for valid reasons, the Senior Manager may continue the investigation into the complaint, taking this new information into account. A written update will be provided within 10 working days of the review commencing.

If the outcome of Stage Three is that the complaint is not upheld, the student will be issued a Completion of Procedures (COP) Letter, confirming that they have exhausted UCB's formal Student Complaints Procedure. Students are advised to read this letter carefully, as it will include full details of the outcome and any further steps available, if applicable.

### **Independent External Review**

If a student is not satisfied with the outcome of Stage Three, they can also submit their complaint to the Office of the Independent Adjudicator (OIA) within their stated time limit. All students registered at UCB have the right to contact the OIA. Before reviewing a student's case, the OIA will first ensure the student has exhausted all stages of UCB's Complaints procedures. For advice and information concerning the OIA, please contact the Academic Registry ([registry@ucb.ac.uk](mailto:registry@ucb.ac.uk)), an employee of the Guild of Students ([guildinfo@ucb.ac.uk](mailto:guildinfo@ucb.ac.uk)) or refer to the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk).

Following receipt of a Completion of Procedures Letter, and if a student's programme of study is a University of Birmingham (UoB) degree, they may then refer their case to UoB via [complaints@contacts.bham.ac.uk](mailto:complaints@contacts.bham.ac.uk).

If a student's programme of study is a University of Warwick (UoW) degree award, they may refer their complaint to the University's Student Complaints and Academic Casework Team via email to [complaints@warwick.ac.uk](mailto:complaints@warwick.ac.uk).

### **Confidentiality**

UCB has a duty of care to protect the rights of all persons in terms of individual grievances, in accordance with the Data Protection Act (2018) and the General Data Protection Regulation (GDPR). In terms of complaint management, the right to confidentiality is paramount for fair and expeditious resolution. Therefore, it is the responsibility of all parties to ensure that a complaint of grievance (made or intended) is not publicised to other parties outside of the formal complaints process. Making the grievance public by any party associated with the grievance may be seen as harassment, victimisation or bullying and may be deemed as discriminatory, which could lead to disciplinary procedures. This right of protection applies to all persons associated with UCB, including the Board of Governors, staff, students, users of UCB services and facilities, placement providers, visitors and those contracted to work at or for UCB.

'It is expected that students, their representatives and staff members should act reasonably and fairly towards each other, treat the process and themselves with respect and that the University has a responsibility to protect its staff against unacceptable behaviour' (OIA).

## **False, Frivolous, Malicious or Vexatious complaints.**

UCB reserves the right to terminate consideration of a complaint if it is deemed to be frivolous or vexatious. If, at any stage of the process, there is reason to believe that a complaint may fall into this category, it will be referred for discussion at the appropriate management level.

Following a review, a decision may be taken to reject or discontinue the complaint. The student will be formally notified of the outcome, including a reason for the decision.

The following are examples of complaints that may be considered frivolous or vexatious. This list is not exhaustive but provides guidance on the types of behaviour that may lead to a complaint being rejected or discontinued:

1. **Delayed submission of Complaints** - Intentionally withholding a complaint and accumulating grievances to submit at a later date may hinder UCB's ability to investigate and resolve the issue in a timely and effective manner. Complaints should be raised as promptly as possible, as investigating historical matters can be more challenging and may limit the ability to reach a fair and timely resolution. However, if there are valid reasons for a delay, these must be clearly explained. In all such cases, the complaint will be reviewed. Students are expected to submit all relevant and available evidence at the time of the complaint (or within 10 working days). Knowingly withholding evidence to influence the outcome unfairly is not acceptable.
2. **Unrealistic or Inappropriate Demands** - Complaints that seek outcomes that are beyond what is reasonable or permissible, such as requesting changes to a degree classification, will not be upheld.
3. **Disruptive or Malicious Intent** - Complaints submitted with the intention to cause disruption, annoyance, or distress to individuals or UCB may be deemed vexatious.
4. **Unreasonable Pursuit of a Complaint** – Persistently pursuing a complaint in an unreasonable manner, including excessive or repetitive communications, may result in the complaint being closed.
5. **Non-Compliance with Legal or UCB Standards** - Complaints which do not uphold the principles of the Higher Education (Freedom of Speech) Act 2023 may be rejected.
6. **Anonymous Complaints** - Complaints submitted anonymously will not normally be considered, as anonymity may impede a fair and thorough investigation and the ability to communicate outcomes.
7. **Complaints outside the remit of UCB** – Complaints concerning matters outside the jurisdiction of UCB will not be considered under this procedure.

**Note:** the making of false, frivolous, malicious or vexatious complaints, appeals or allegations, including defamation, may lead to disciplinary action taken under the [Code of Practice on Discipline](#) against the complainant (refer to the [General Student Regulations](#), Section C). These policies can be found on UCB's website.