# Open College of the ArtsStudent Complaints Policy

OCA undertakes to provide high quality services in respect of delivering academic courses, supported by appropriate tutors, staff, and resources. However, we recognise that errors can happen and where necessary students require a formal route for raising their concerns. Legitimate concerns raised by students provide an opportunity for OCA to reflect on its approach and find ways of improving what it offers to students.

OCA’s approach to complaints management is underpinned by these principles:

* to provide a formal process for students to make complaints and to resolve them wherever possible;
* to listen to and resolve informal complaints as practicable;
* to treat seriously all complaints raised and to deal with them fairly and consistently;
* to investigate each complaint with objectivity, listening to the views of all relevant parties involved, including students, tutors, programme leaders and members of the head office team;
* to deal with all complaints without recrimination;
* to respect the rights of all involved in the complaints process, including students, staff and tutors;
* for all complaints to be dealt with in strict confidence;
* to learn from each complaint made and implement change as appropriate to improve the services offered to students.

## What OCA’s complaints procedure covers

OCA’s complaints procedure applies in cases where there is no alternative process to manage the issue raised or where a process exists but is not able to provide a framework for reaching an outcome.

A complaint under the terms of this policy is defined as dissatisfaction with an advertised or promised service and/or where a student believes that appropriate standards have not been met. This can include cases in which there has been an administrative error on the part of OCA, or where applicable regulations have not been applied correctly.

Examples of grounds for complaint include but are not limited to: failure to meet obligations as outlined in college-written material, misleading advertising or promotional material, or misconduct of a member of staff or tutors.

For a complaint to be dealt under this complaints procedure it must be raised with OCA as soon after the circumstances which have given rise to the complaint occurred and no later than one month after the date of those circumstances. Complaints raised later than one month after the event will not be considered except where evidence can be provided to demonstrate an inability on the part of the student to submit within the timescales outlined above.

This policy includes appeals against decisions made in respect of reasonable adjustments to support students with disabilities. In such cases, in order to be considered the complainant must be a current student of the institution and in receipt of Disabled Student Allowance (DSA) and have had a Needs Assessment conducted. The Needs Assessment must be submitted with the complaints form and the dispute must be regarding the support requested which OCA has assessed as not deemed a reasonable adjustment as defined under the Equality Act 2010.

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| Exclusions under this policy1. Representations made against marks awarded in the assessment process are not appealable. Appeals made against an administrative error in the assessment process are dealt with by the Student Regulations and Academic Regulatory Framework (for undergraduate students).
2. Academic judgement through assignment feedback is not considered grounds for a complaint or appeal.
3. An issue concerning the conduct of another student should be dealt with under the escalation policy as detailed in the Safeguarding Policy, Wellbeing Policy, or Anti-Harassment & Bullying Policy where appropriate.
4. Complaints arising from decisions taken in line with Academic Misconduct as defined in the Student Regulations and Academic Regulatory Framework will be dealt with exclusively under those regulations.
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The complaints procedure is triggered by a student making an informal complaint, verbally or in writing, to their tutor or OCA member of staff.

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| At a glance: OCA student complaints procedure |
| Stage 1 | Any student who is unhappy about any aspect of their experience of studying with OCA should discuss it informally in the first instance with their tutor or a member of the OCA head office team. |
| Stage 2 | If the issue cannot be resolved at stage 1, the student should complete a formal complaints form, available from the OCA website, and forward it to the Head of Student Services. |
| Stage 3 | If the issue cannot be resolved at stage 2, students following an accredited academic degree pathway (BA or MA) should follow the UCA Student Complaints Policy, available on the university’s website<https://www.uca.ac.uk/>. |
| Stage 4 | If the issue cannot be resolved at stage 3, or if the student is studying at Foundations level, the complaint should be raised with the OCA Principal by completing the formal complaints form available on the OCA website. |

## Stage one

Issues can often be dealt with as and when they occur through discussion and facilitation with all affected parties: students, tutors, and staff. OCA will always attempt to resolve complaints at a local level before escalation through the complaints procedure.

The OCA member of staff or tutor who receives the complaint should in all circumstances take note of the date the complaint has been raised, the issue raised, any pertinent discussions with the student making the complaints and actions taken to resolve the matter. These should then be reported on a quarterly basis to the Head of Student Services.

## Stage two

When an issue cannot be resolved locally, the student may raise the issue with the Head of Student Services as a Stage Two complaint.

Complainants should download and complete the **Formal Complaints Form** from the OCA website [insert link] and send to studentadvice@oca.ac.uk.

The Head of Student Services will confirm that local options for resolution have been explored before continuing. Upon receipt of completed complaint form and appropriate evidence (where applicable) an acknowledgement will be sent and the Head of Student Services will conduct an investigation into the situation, liaising with tutors and staff as appropriate and requesting documentation pertinent to the case as may be applicable.

The Head of Student Services will respond directly to the concerned party within 10 working days of the receipt of the complaint with the details of the investigation and outcome of the case. Where the case is complex and further time may be required, the complainant will be informed of any likely delay at the earliest opportunity, with an anticipated timescale for completion.

In determining the outcome of the case, the Head of Student Services will consider if there is substance in all or part of the complaint, or if there is no substance to the complaint. In making this decision, the Head of Student Services will consider appropriate action to redress the error (where applicable) and resolve the situation (where applicable).

The outcome of the investigation and proposed action (where applicable) will be communicated to the complainant within the timescale outlined.

## Stage three

If an affected student on an accredited degree pathway remains unhappy with the outcome of the case following Stages One and Two, escalation through OCA’s accrediting higher education institution, the University for the Creative Arts, is possible. Representations in this circumstance should follow the full details and requirements as outlined in UCA’s Student Complaints Policy.

## Stage four

Where the issue is not resolved through the previous three stages, or for students on non-accredited courses, complainants can raise the issue directly with the OCA Principal.

Complainants should download and complete the Formal Complaints Form form the OCA website [insert link] and send to studentadvice@oca.ac.uk.

The Principal will confirm in the first instance that stages one to three of the procedure have been followed before committing to an investigation. Where this has not happened, complainants will be advised to follow the complaints procedure as detailed above.

The Principal will confirm acknowledgement of the complaint and conduct an investigation and respond to the complaint raised within 10 working days of receipt. Where the case is complex and further time may be required, the complainant will be informed of any likely delay at the earliest opportunity, with an anticipated timescale for completion.

In determining the outcome of the case, the Principal will consider if there is substance in all or part of the complaint, or if there is no substance to the complaint. In making this determination the Principal will consider appropriate action to redress the error (where applicable) and resolve the situation (where applicable).

The outcome of the investigation and proposed action (where applicable) will be communicated to the complainant within the timescale outlined.

Of the small number of complaints received from students in 2017/18, 90% were resolved by the Head of Student Services at stage two of the complaints process. The remaining 10% were resolved at stage four through the involvement of the OCA Principal. As reporting of complaints is informal at stage one, OCA does formally record any complaints received at this stage. During 2017/18, no complaints were referred to UCA.

## Further escalation

Students studying a degree with OCA, having followed the process as described above, can escalate the matter to Office of the Independent Adjudicator for Higher Education (OIA) if they are not satisfied with the outcome of the complaints process. This is an independent process for review of complaints.

Submission of cases to OIA must happen within 12 months of receipt of the outcome from the OCA Principal. OIA have specific requirements for dealing with complaints which should be consulted before submitting a case.

Details on the process are available on the OIA website <http://www.oiahe.org.uk/>. Alternatively, OIA can be contacted at its registered office:

Office of the Independent Adjudicator for Higher Education, Second Floor Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB

Telephone: 0118 959 9813

Email: enquiries@oiahe.org.uk