

7.1

APPEALS AND COMPLAINTS

# Key Details

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| **OUTCOME OF EQUALITY IMPACT ASSESSMENT** |  |
| **RELATED POLICIES / PROCEDURES / GUIDANCE** | [*Academic Handbook Ah1\_07 (cardiffmet.ac.uk)*](https://www.cardiffmet.ac.uk/registry/academichandbook/Pages/Ah1_07.aspx) |
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| **POLICY OWNER (JOB TITLE)** | Director of Registry Services |
| **UNIT / SERVICE** | Registry Services |
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# Version Control

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Appeals and Complaints

# Introduction

Section 7 of the Academic Handbook gives information on Cardiff Metropolitan University's Complaints Procedure, Appeals Procedure (Exam Board Decisions), Appeals Procedure (Unfair Practice Decisions), Appeals Procedure (Postgraduate Research Degree) and other appeals procedures.

The procedures coexist with related documentation such as the University's Equal Opportunities Policy, its Code on Harassment and Bullying, its Disciplinary and Grievance Procedures and its Whistle Blowing Code of Practice.

Where a complaint contains within it an appeal, or vice versa, complaints and appeals may be reclassified, at whatever stage of the relevant procedure they have reached, if this is likely to lead to a more appropriate outcome for the complainant/appellant.

It is anticipated, certainly in relation to Complaints, that informal solutions will be exhausted before complainants resort to invoking the Complaints Procedure. In the case of both complaints and appeals, the relevant Cardiff Metropolitan University procedure must be exhausted and a Completion of Procedures letter issued, before any review can be undertaken by the Office of the Independent Adjudicator, or other external body.

# Publicity

The Complaints Procedure is referenced in the Student Handbook and a link to the procedure and Complaint Form provided. It is also available in the Academic Handbook.

The appeals procedures are available in the Academic Handbook and, where appropriate, in the Research Degree Regulations.

# Monitoring, Evaluation and Review

Copies of all on-going and completed Appeals cases are lodged with the University’s Registry Services, where complaints are also held for reference and analysis purposes, and contain full details of each case. Logs are also maintained providing a chronological record of receipt, action taken and closure of cases.

On an annual basis, reports on Appeals and Complaints respectively will be made to Academic Board, with recommendations, together with appropriate actions taken in regulatory or other terms (such as increased publicity, etc.) such that the Board may approve such actions and recommendations or require enhancement.

# Staff Development

The University recognises the need for staff to be familiar with Appeals and Complaints Procedures so that such staff can avoid situations, which are likely to give rise to students invoking the Procedures and failing that, so that they can properly advise students on the correct course of action. The University therefore offers regular staff development activities to encourage the maintenance of awareness and knowledge of the Procedures, particularly in relation to procedural changes, which might, from time to time arise.

# Confidentiality

The Appeals and Complaints Procedures refer to confidentiality with regards to ensuring that only those directly involved have information disclosed to them about the particular case in question. It is recognised that cases of Appeal and Complaint can be protracted and that, therefore, those involved can be under considerable stress which may be heightened should the wider community become aware of particular situations.

Appellants and Complainants are informed in the policies and procedures that privacy and confidentiality will be assured, unless disclosure is necessary to progress the complaint or appeal.

A form is provided for an Application for Appeal which requires students to consent to such disclosure when submitting the form. Where complaints are submitted, the student concerned will be notified in the acknowledgement letter/email.

# Vexatious and/or Frivolous Appeals and Complaints

At all stages, formal and informal, of appeals and complaints, students may be reassured that they will not be disadvantaged by making an appeal or a complaint save for instances where such an appeal or complaint may be adjudged to be vexatious. Where an appeal or complaint is adjudged to have been made without proper justification and was borne out of malice, vindictiveness or mischief, the appellant or complainant is warned that, following the run-out of one or other Procedure, the University reserves the right to take appropriate action against the appellant or complainant. The appellant or complainant will be informed of the reasons for this. Such action might comprise disciplinary action or redress to the legal system.

# Collaborative Provision

Whilst the arrangements, as set out in formal Memoranda, pertaining to Collaborative Provision make it clear that academic appeals are Cardiff Metropolitan University's responsibility and must be progressed through the University's Appeals Procedure, complaints are considered locally in the first instance, to ensure that where possible, complaints are resolved at the earliest opportunity.

Students are advised in their programme handbooks that if they are unhappy with any aspect of their experience and wish to make a complaint they should first try and resolve the complaint through the mechanisms that are in place at their local institution. If the matter cannot be resolved informally, the institution should have complaints procedures which the student should follow. These procedures should be available in the programme handbook provided to students by the institution at induction. Once the student has completed these procedures, if they are still not satisfied they may complain to the University directly via the Complaints Procedure at [www.cardiffmet.ac.uk/complaints](http://www.cardiffmet.ac.uk/complaints).

# Anonymous Complaints

Anonymous Complaints will be considered carefully and an investigation undertaken in appropriate cases, where justified by quality or legal considerations. However, in such cases the anonymous complainant will only be advised that the matter is being considered and will not be informed of the outcome of any investigation.