



# **UK Quality Code for Higher Education**

## **Part B: Assuring and enhancing academic quality**

### **Chapter B9: Complaints and appeals on academic matters**

**Draft for consultation**

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## About the Quality Code

The UK Quality Code for Higher Education (the Quality Code) is the definitive reference point for all UK higher education providers.<sup>1</sup> It makes clear what higher education providers are required to do, what they can expect of each other, and what the general public can expect of them. The Quality Code covers all four nations of the UK and all providers of UK higher education operating overseas. It protects the interests of all students, regardless of where they are studying or whether they are full-time, part-time, undergraduate or postgraduate students.

Each Chapter contains a single Expectation, which expresses the key principle that the higher education community has identified as essential for the assurance of academic standards and quality within the area covered by the Chapter. Higher education providers reviewed by the Quality Assurance Agency for Higher Education (QAA) are required to meet all the Expectations. The manner in which they do so is their own responsibility. QAA carries out reviews to check whether higher education providers are meeting the Expectations.<sup>2</sup>

Each Chapter has been developed by QAA through an extensive process of consultation with higher education providers; their representative bodies; the National Union of Students; professional, statutory and regulatory bodies; and other interested parties.

Higher education providers are also responsible for meeting the requirements of legislation and any other regulatory requirements placed upon them, for example by funding bodies. The Quality Code does not interpret legislation nor does it incorporate statutory or regulatory requirements. Sources of information about other requirements and examples of guidance and good practice are signposted within the Chapter where appropriate. Higher education providers are responsible for how they use these resources.

The Expectation in each Chapter is accompanied by a series of Indicators that reflect sound practice, and through which providers can demonstrate they are meeting the relevant Expectation. Indicators are not designed to be used as a checklist; they are intended to help providers reflect on and develop their regulations, procedures and practices to demonstrate that the Expectations in the Quality Code are being met. Each Indicator is numbered and printed in bold and is supported by an explanatory note that gives more information about it, together with examples of how the Indicator may be interpreted in practice.

The *UK Quality Code for Higher Education: General introduction*<sup>3</sup> should be considered in conjunction with this document. It provides a technical introduction for users, including guidance concerning the terminology used and a quick-reference glossary.

## About this Chapter

This publication supersedes the *Code of practice for the assurance of academic quality and standards in higher education* (the *Code of practice*), *Section 5: Academic appeals and student complaints on academic matters* (2007) published by QAA and forms a Chapter of the Quality Code.

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<sup>1</sup> [www.qaa.ac.uk/qualitycode](http://www.qaa.ac.uk/qualitycode)

<sup>2</sup> [www.qaa.ac.uk/InstitutionReports/types-of-review](http://www.qaa.ac.uk/InstitutionReports/types-of-review)

<sup>3</sup> [www.qaa.ac.uk/Publications/InformationAndGuidance/Pages/Quality-Code-introduction.aspx](http://www.qaa.ac.uk/Publications/InformationAndGuidance/Pages/Quality-Code-introduction.aspx).

# Complaints and appeals on academic matters

*Chapter B9: Complaints and appeals on academic matters* of the Quality Code sets out the Expectation for addressing student complaints about the quality of learning opportunities (complaints) and appeals against academic decisions (appeals).

## Definitions

This Chapter of the Quality Code defines a complaint as the expression of a specific concern about matters that affect the quality of a student's learning opportunities. It defines an appeal as a request for a review of a decision made by an academic body about student progression, assessment and awards.

## Scope

The term 'student' is used broadly to include those who are studying for a higher education award, whether the award is taught or research, and irrespective of the mode or location of learning or delivery.

Guidance relating to complaints and appeals with respect to admission to study are addressed in *Chapter B2: Admissions*.

In setting out their complaints and appeals procedures higher education providers make clear the extent to which those procedures apply to those students who have recently left the provider, in particular specifying clearly the time limit for lodging a complaint or appeal.

Further guidance about complaints and appeals by research students is provided in Indicator 18 of *Chapter B11: Research degrees*.

Where higher education providers are involved in working with others to provide learning opportunities, the procedures and responsibilities for complaints and appeals of those other organisation(s) are included in the written agreement that governs the working relationship between them. They provide staff and students with clear information about those procedures and responsibilities. This information includes to which body a complaint or appeal must be directed, and the extent to which the other body or bodies would be involved in considering such a complaint or appeal. The management of arrangements for working with others to provide learning opportunities is addressed in *Chapter B10: Management of arrangements for working with others to deliver learning opportunities*.<sup>4</sup>

The Chapter also recognises that other organisations, such as professional, statutory and regulatory bodies, may have responsibilities for complaints and appeals which may overlap with those of the higher education provider, or which may require that organisation to be involved in the handling of a particular complaint or appeal. Providers make clear to staff and students where this is the case.

Complaints or appeals may be made by individual students or, in appropriate cases, collectively. Providers have arrangements enabling them to reject complaints that are vexatious.

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<sup>4</sup> The title of Chapter B10 is unconfirmed and may change when the final version of the Chapter is published.

## **Equality and diversity**

In designing and implementing procedures for complaints and appeals higher education providers have regard to: the need to eliminate discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations. Providers ensure that procedures apply equally to all students irrespective of age, disability, gender reassignment, pregnancy or maternity, race, ethnic origin or national identity, religion or belief, sex or sexual orientation.

The effective resolution of complaints and appeals depends on all those involved - staff and students - engaging in a way that recognises the interests and concerns of each other, and approaching the matter with objectivity and respect.

Providers recognise the importance of safeguarding as far as reasonably practicable the interests and well-being of students lodging a complaint or appeal and of staff who may be named or otherwise involved. In particular they recognise the value of information, advice and guidance for students and staff at each stage of the process.

## **Distinguishing complaints and appeals procedures**

As this Chapter forms part of the Quality Code, its remit is necessarily limited to appeals against academic decisions and complaints about the quality of learning opportunities. This does not preclude higher education providers extending the approach embedded in this Chapter to complaints or appeals on other matters, such as disciplinary or harassment procedures. Indeed, many higher education providers operate a single complaints system, which embraces both academic and non-academic complaints.

The Expectation and Indicators in this Chapter do not generally distinguish between complaints and appeals because of the high level of commonality in the underlying principles applicable to both. The Chapter is designed to assist providers regardless of whether they operate separate or combined arrangements for addressing complaints and appeals by students.

There may be times when what is expressed by the person or persons presenting it as a complaint contains within it an appeal and vice versa. Where this is the case, and where the provider operates separate procedures for complaints and appeals, the procedures make it possible for complaints and appeals to be reclassified (at whatever stage they may have reached) with the person complaining or appealing being kept informed of the implications of this reclassification. Such reclassification may be either triggered by the provider or by the student.

## **Alternative arrangements for resolving complaints and appeals**

Higher education providers determine the most appropriate arrangements for them to facilitate the resolution of complaints and appeals. These arrangements may involve opportunities for resolution through mediation or other less formal means which are additional to or separate from the formal processes. They make clear to students how such arrangements relate to the formal processes, in particular being explicit about any time limits which may apply at any stage, and any opportunities to move between processes.

## **Complaints and appeals as a source of information**

The investigation of complaints and appeals provides an important source of information for higher education providers which contributes to the enhancement of the quality of learning opportunities and of processes for maintaining the academic standards of awards. Providers have in place appropriate arrangements for learning from cases irrespective of the outcome of the individual case. Such arrangements complement other opportunities for engaging with students and obtaining individual and collective feedback on academic matters. Student engagement in quality systems is addressed in *Chapter B5: Student engagement*. See also *Chapter B8: Programme monitoring and review*.

## **Independent review**

Higher education providers ensure that they meet the requirements of any applicable schemes or arrangements for the independent review of complaints and appeals on academic matters determined by the provider.

Students studying for an award of a higher education provider in England and Wales which is within the Office of the Independent Adjudicator for Higher Education (OIA) Scheme have a right of access to the OIA, as long as the provider's internal procedures have been exhausted. In Scotland the Scottish Public Sector Ombudsman (SPSO) has similar jurisdiction for Scottish universities.

Students studying for awards of the universities in Northern Ireland have access to each university's Visitor.

## **QAA Concerns Scheme**

QAA can investigate concerns about the standards and quality of higher education provision, and about the information higher education providers make available about the learning opportunities they offer. Where there is evidence of weaknesses which go beyond a single, isolated occurrence, and where the evidence suggests broader failings in the management of quality and standards, QAA can investigate. These concerns can be raised by students, staff, organisations, and the public. Further information, including a guide for applicants, is provided on the QAA website.<sup>5</sup>

Such investigations are designed to improve the overall quality of UK higher education by addressing weaknesses within a particular higher education provider. They differ from complaints in that QAA is unable to provide redress (compensation or otherwise) to an individual who raises a concern.

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<sup>5</sup> [www.qaa.ac.uk/Complaints/concerns/Pages/default.aspx](http://www.qaa.ac.uk/Complaints/concerns/Pages/default.aspx)

## Expectation

The Quality Code sets out the following Expectation about complaints and appeals on academic matters which higher education providers are required to meet.

**Higher education providers have procedures for handling student complaints about the quality of learning opportunities and appeals against academic decisions which are fair, efficient, accessible and timely and which promote enhancement.**

## Indicators of sound practice

### General principles

#### Indicator 1

**Higher education providers ensure that students have the opportunity to raise matters of concern without risk of disadvantage.**

Higher education providers make clear who has access to their complaints and appeals procedures and take steps to reduce the likelihood of students being inhibited from making a complaint or appeal because of a concern that they may be treated less favourably as a consequence.

Higher education providers pay particular attention to clarifying the application of the procedures to:

- current students, including those on an approved leave of absence
- recent graduates (as defined by the higher education provider), giving those who have completed their programme the opportunity to raise issues of complaint or appeal in a reasonable and explicitly defined period after the completion of their studies
- students studying at a delivery organisation or support provider which is not the degree-awarding body
- students studying for an award made by more than one degree-awarding body (see also *Chapter B10: Management of arrangements for working with others to deliver learning opportunities* of the Quality Code).

Further guidance about complaints and appeals by research students is provided in *Chapter B11: Research degrees*.

Guidance applying to complaints and appeals by prospective students is provided in *Chapter B2: Admissions*.

Higher education providers' procedures enable students to lodge complaints or appeals collectively and make clear how such collective action will be managed (for example, through a single spokesperson) including how the provider will ensure that a collective complaint fairly represents the views of the group.

To ensure that students are not inhibited from making a complaint or an appeal because of a concern that by doing so they may suffer disadvantage (for instance by being treated less favourably than others), the provider maintains appropriate confidentiality when receiving or handling a complaint or an appeal, except where disclosure is necessary to enable the

complaint or appeal to be progressed. Where disclosure is necessary, the provider notifies the student before making the disclosure to confirm that the student wishes to continue with the matter.

**Higher education providers are responsible for ascertaining which laws and regulations apply to them. To meet the Expectation of this Chapter of the Quality Code, higher education providers may wish to consider the indicative list of reference points, guidance and examples of good practice below.**

Equality Challenge Unit (2010) Disability legislation: practical guidance for academic staff (revised)

[www.ecu.ac.uk/publications/disability-legislation-practical-guidance-for-academic-staff-revised](http://www.ecu.ac.uk/publications/disability-legislation-practical-guidance-for-academic-staff-revised)

Equality and Human Rights Commission: Guidance for providers of further and higher education

[www.equalityhumanrights.com/advice-and-guidance/further-and-higher-education-providers-guidance](http://www.equalityhumanrights.com/advice-and-guidance/further-and-higher-education-providers-guidance)

## **Indicator 2**

**Higher education providers ensure that their approach to complaints and appeals encourages positive engagement with the process and offers opportunities for early resolution.**

The most effective route to resolution of a complaint or appeal is one in which all parties engage in a spirit of cooperation. Higher education providers actively promote confidence among students in the fairness and objectivity of the procedures and their implementation, and an understanding on the part of students of the need for procedures which ensure that academic standards can be maintained.

Clear processes, which are not unduly legalistic or potentially intimidating, and which provide students with appropriate opportunities to provide relevant evidence, contribute to developing such confidence. Higher education providers enhance trust and confidence in the process by demonstrating to students how action has been taken previously in response to issues identified in complaints and appeals.

Higher education providers consider ways in which alternative means for resolving complaints and appeals may help to achieve earlier resolution, and ensure that where there are such opportunities these are publicised to staff and students. Clear information is provided as to how these arrangements fit with more formal procedures and indicates any time limits which may apply. In particular students are informed of whether, and in what circumstances, they might move between such alternative means and the formal procedures.

Alternative means might include various forms of impartial mediation or a campus ombudsman, whether managed by staff of the provider or through an independent party. The purpose of establishing such arrangements may be limited to enabling individuals to explore, with an impartial third party, the focus of their complaint and to seek advice, separate from the higher education provider's complaints processes. In other cases, they may be intended to provide a forum for reaching a decision or a solution. Where providers' arrangements include mediation, a campus ombudsman or other alternative dispute resolution services, providers make clear to students and staff the scope of the services, and whether their use

is subject to the parties agreeing in advance to accept the solution offered or the findings reached.

Higher education providers determine how they capture issues arising that are resolved through such alternative arrangements and how recurring issues can be identified and acted on at a more strategic level if necessary, without unduly changing the nature of the arrangements (see Indicator 8 regarding the recording and monitoring of complaints and appeals).

## Information, advice and guidance

### Indicator 3

#### **Higher education providers make available accessible information on their complaints and appeals procedures.**

Higher education providers ensure that those who need to know about their procedures for complaints and appeals can access those procedures. The Expectation applying to the provision of information is addressed in Part C: Information about higher education provision, notably Indicators 4 and 5 regarding current students.

Accessible procedures are written in a way that is clear to students, taking into account equality and diversity issues and barriers to access. Providers ensure that students know where to find the procedures.

Where the higher education provider is working with an organisation which is not the degree-awarding body to deliver or support the learning opportunities, the provider ensures that information is available to students which makes clear which procedures apply and how they can be accessed.

The procedures clarify the difference between a complaint and appeal and how a case that contains both will be managed. Where separate procedures exist (for example, for dealing with complaints of harassment or discrimination), the difference between the procedures and the consequences of this for those following them is explained.

The scope and grounds for appeals against academic decisions are clearly stated, as are the circumstances that are not grounds for such appeals. Where procedures do not allow appeal for specific reasons - for example, academic judgement or competency standards - the procedure defines what is meant by those terms.

Providers distinguish between complaints as set out in this Chapter and opportunities for individual and collective feedback as part of their ongoing engagement with students regarding the standards and quality of their provision (as set out in *Chapter B5: Student engagement*).

### Indicator 4

#### **Higher education providers ensure that appropriate advice and guidance is available for students making a complaint or an appeal, and for staff involved in handling or supporting complaints and appeals.**

The provision of opportunities for students to obtain appropriate and impartial advice and guidance is an important part of ensuring that students can make informed decisions about whether and how to lodge a complaint or appeal, and therefore make effective use of the

applicable procedures. The distinction between procedural advice, and advocacy and support, and where each can be sought, is made clear to students.

To ensure that such opportunities can be effective, higher education providers make available to staff and students contact information for those authorised to provide such advice and guidance (whether by the provider or student representative bodies). Such persons might include members of students' representative bodies, professional associations or trades unions.

Providers pay particular attention to ensuring equality of opportunity and an inclusive environment for all students irrespective of their age, disability, gender reassignment, pregnancy or maternity, race, ethnic origin or national identity, religion or belief, sex, or sexual orientation. Where appropriate, and in particular for students with a declared disability, providers ensure that advice and guidance is available to them at all stages in appropriate formats, and that reasonable adjustments are made to any proceedings to accommodate their needs.

Where learning opportunities are being delivered by organisations other than the degree-awarding body, providers ensure that there is clarity about who is responsible for providing advice and guidance for students and how it can be accessed.

Handling complaints and appeals is an increasingly specialised and technically demanding area of higher education providers' work. In order that staff involved can be alert to the interests of all parties, higher education providers set out the general legal context and the applicable regulations and precedents and provide staff with suitable induction, briefing, and opportunities for professional updating. These measures:

- provide the detail of relevant procedures and how they should be applied
- enable the appreciation of the need for impartiality and avoidance of the creation of a perception of bias
- provide an informed legal context
- provide advice on technical matters such as the standard of proof, the admissibility of evidence, and how to handle evidence from witnesses
- provide guidance on appropriate confidentiality and issues of data protection
- ensure those involved in handling complaints and appeals have the opportunity to exchange information on good practice.

Complaints and appeals can have a significant impact on staff, particularly on those who may be the subject of a complaint and on those implementing the provider's procedures. In addition to considering what support and advice they may need to provide for those making a complaint or an appeal, higher education providers also determine how to safeguard the interests of staff, including those handling complaints and appeals.

**Higher education providers are responsible for ascertaining which laws and regulations apply to them. To meet the Expectation of this Chapter of the Quality Code, higher education providers may wish to consider the indicative list of reference points, guidance and examples of good practice below.**

Equality Challenge Unit (2010) Disability legislation: practical guidance for academic staff (revised)

[www.ecu.ac.uk/publications/disability-legislation-practical-guidance-for-academic-staff-revised](http://www.ecu.ac.uk/publications/disability-legislation-practical-guidance-for-academic-staff-revised)

Equality and Human Rights Commission: Guidance for providers of further and higher education

[www.equalityhumanrights.com/advice-and-guidance/further-and-higher-education-providers-guidance](http://www.equalityhumanrights.com/advice-and-guidance/further-and-higher-education-providers-guidance)

## Internal procedures: design and implementation

### Indicator 5

**The design of complaints and appeals procedures enables them to be conducted in a timely, fair and reasonable manner.**

To promote ownership of complaints and appeals procedures at the highest level and in turn promote transparency, higher education providers ensure that students are engaged in the development and approval of procedures, and that those procedures are ratified by the provider's senior academic committee. (Guidance about involving students is set out in *Chapter B5: Student engagement*.) Significant changes, and the currency and period of validity of versions in operation are drawn to the attention of all students and staff in a timely manner.

Procedures conform to the legal principles of fairness, are proportionate, allow for objective and impartial consideration, and allow all parties to engage on an equal footing. As part of the design process for their complaints and appeals procedures, higher education providers:

- consider how their procedures allow complaints and appeals to be addressed at any stage by alternative means agreed by both parties (see Indicator 2)
- consider how many stages are involved and ensure that multi-stage processes do not lead to delay or prevent students from accessing an independent review stage
- make explicit indicative timescales for key stages, taking into account relevant national guidance on good practice. Such timescales are fair and realistic, can take account of exceptional circumstances, and describe how such circumstances will be dealt with and will be communicated to all parties
- ensure that the procedures make clear what is required of staff and students at each stage, and where students may seek advice and guidance (see Indicator 4)
- state how the procedures relate to other institutional schemes for raising concerns (for example whistle blowing and harassment procedures)
- make clear the expectations that exist for the standards of behaviour by complainants, and define what is considered to be unacceptable behaviour and the consequences of such behaviour. This includes consideration of how the provider defines, and deals with, complaints considered to be vexatious
- ensure that any initial process to determine whether grounds exist for appeal or complaint has clear criteria and an opportunity for the student to dispute such a preliminary finding
- ensure that the appeals procedure makes provision for the senior academic committee to have the unambiguous power to annul an assessment decision, and to substitute it with a decision of its own (following advice from competent examiners), where circumstances make it appropriate to do so
- make provision for face-to-face meetings where the absence of such provision might be considered unfair (for example, where the interpretation of evidence is disputed, or where potential sanctions are severe). Higher education providers consider how the language used to describe such meetings, and the conduct of them, might be perceived by students and the implications of this for positive engagement with the process and effective and cooperative resolution

- consider how such meetings will be managed where the student is at a distance from those staff responsible for handling the complaint or appeal, including whether alternative arrangements (for example, video-conferencing) are acceptable, and if so under what terms
- consider how collective complaints will be dealt with
- ensure that the evidence requirements and the standard of proof to be adopted in making a decision are made clear
- consider how to ensure that the composition of any panel demonstrates objectivity and avoids the creation of the perception of bias
- consider the relationship of procedures to those of any relevant professional, statutory or regulatory bodies
- describe what will happen if students take their case to law while a complaints or appeal procedure is active, or before any procedure has been initiated. This may involve not initiating a process, or suspending it, until the legal case has been resolved
- consider the role of formal legal representation, whether it is helpful or appropriate in internal arrangements, and under what circumstances they might agree to the person complaining or appealing being accompanied by a legally qualified person. Where higher education providers themselves are legally represented in complaints and/or appeals hearings, it is likely to be seen as unfair not to allow those making a complaint or an appeal to be legally represented. However, it will be useful for all those involved to appreciate that legal representation is likely to be the exception rather than the norm.

**Higher education providers are responsible for ascertaining which laws and regulations apply to them. To meet the Expectation of this Chapter of the Quality Code, higher education providers may wish to consider the indicative list of reference points, guidance and examples of good practice below.**

Academic Registrars' Council (2011) *A Reference Document For Academic Appeals and Extenuating Circumstances for University Practitioners*  
[www.arc.ac.uk/PageInfo.aspx?practitioner-7-Student-Complaints-and-Appeals.html](http://www.arc.ac.uk/PageInfo.aspx?practitioner-7-Student-Complaints-and-Appeals.html)

National Union of Students *Charter on Student Complaints and Appeals*  
[www.nusconnect.org.uk/campaigns/highereducation/policycorner/complaints-and-appeals](http://www.nusconnect.org.uk/campaigns/highereducation/policycorner/complaints-and-appeals)

National Union of Students (2009) *Review of Institutional Complaints and Appeals Procedures in England and Wales*  
[www.nus.org.uk/PageFiles/350/Complaints%20Report%20-%20Final%2015.02.09%20Pdf.pdf](http://www.nus.org.uk/PageFiles/350/Complaints%20Report%20-%20Final%2015.02.09%20Pdf.pdf)

Raising concerns about standards and quality in higher education: a guide for applicants  
[www.qaa.ac.uk/Publications/InformationAndGuidance/Pages/Raising-concerns-aboutstandards-and-quality-in-higher-education.aspx](http://www.qaa.ac.uk/Publications/InformationAndGuidance/Pages/Raising-concerns-aboutstandards-and-quality-in-higher-education.aspx)

QAA (Scotland) Protocol for managing potential risks to quality and academic standards  
[www.qaa.ac.uk/Complaints/concerns/Documents/ManagingRisksProtocol.pdf](http://www.qaa.ac.uk/Complaints/concerns/Documents/ManagingRisksProtocol.pdf)

**Indicator 6**

**Complaints and appeals procedures are conducted in a timely, fair and reasonable manner.**

In conducting their complaints and appeals procedures, higher education providers:

- conduct all proceedings in a timely manner, with adequate notice of the subject of complaint or appeal for all parties
- ensure that any actual or potential conflict of interest, or any other issue that might give rise to the perception of bias, for those investigating or deciding upon a complaint or appeal is identified and addressed
- ensure that there is equal access for all parties to all the evidence that will be used as a basis for determining the outcome
- ensure, where a meeting or hearing takes place, that the student is informed of the composition of the panel and others who may attend to give evidence
- ensure, where such a meeting takes place, that the student is informed in a timely manner of any right to attend, any right to be accompanied or represented (and if so by whom), and any rights to submit evidence or call witnesses
- ensure that equivalent opportunities are provided where a meeting or hearing is to be conducted through other means, such as by video-conference
- consider what approach they might adopt in meeting reasonable and proportionate incidental expenses incurred by a person complaining or appealing and make that policy known
- consider calling on specialist advice (which may be in-house) where appropriate in cases where issues of equality and diversity play a role in a particular complaint or appeal.

## **Action, monitoring and enhancement**

**Indicator 7**

**Higher education providers ensure that appropriate action is taken following a complaint or an appeal.**

When a finding on a complaint or an appeal has been determined, providers ensure that the outcome is communicated to the complainant or appellant and to any other relevant parties. Effective outcomes give clear reasons for reaching the decision in order to ensure that this is clearly understood by the student and staff involved. This helps the student determine whether or not to pursue the matter further.

Higher education providers explain how and when they will implement any remedy and whether that might include an apology.

At the point where internal procedures have been completed, the provider ensures that the complainant or appellant is provided with a clear written statement, confirming that its internal procedures have reached completion, giving the outcome that has been reached, and advising the student of any relevant external procedures to which they have recourse if they remain dissatisfied. Where the provider is subject to the jurisdiction of the Office of the Independent Adjudicator for Higher Education (OIA) in England and Wales, or the Scottish Public Sector Ombudsman (SPSO) in Scotland, it ensures that this written statement meets the OIA or SPSO's requirements for a 'completion of procedures' letter.

**Higher education providers are responsible for ascertaining which laws and regulations apply to them. To meet the Expectation of this Chapter of the Quality Code, higher education providers may wish to consider the indicative list of reference points, guidance and examples of good practice below.**

The Office of the Independent Adjudicator for Higher Education (OIA), which covers England and Wales

[www.oiahe.org.uk](http://www.oiahe.org.uk)

The Scottish Public Services Ombudsman

[www.spsso.org.uk](http://www.spsso.org.uk)

### **Indicator 8**

**Higher education providers have effective arrangements to record and report on complaints and appeals, to monitor and evaluate the effectiveness of procedures, and to reflect on their outcomes for enhancement purposes.**

Monitoring and evaluation can assist two aspects of the work of higher education providers: ensuring and enhancing the effectiveness of their complaints and appeals procedures, and as part of promoting effective student engagement in quality management, fostering confidence in the complaints and appeals processes.

Monitoring how their complaints and appeals procedures work overall, and maintaining records of such monitoring over time, enables higher education providers to be confident that procedures are fair and are working as they intend. In order to monitor operation of the procedures effectively, higher education providers have a systematic approach to recording complaints and appeals, and consider the extent to which it is appropriate to monitor alternative means of resolution (see Indicator 2).

Oversight of the implementation of complaints and appeals procedures is enabled through the senior academic committee receiving reports which may include, for example:

- the number of complaints made by undergraduate, taught postgraduate and research students, respectively, and by students on full-time and part-time modes of study
- the characteristics of those making complaints and appeals, including age, disability, gender reassignment, pregnancy or maternity, race, ethnic origin or national identity, religion or belief, sex, or sexual orientation
- the number of complaints and appeals made by international students, those from the UK, and from students studying at another delivery location or with another support provider other than the degree-awarding body or studying for a joint, dual/double or multiple award
- the number of complaints and appeals by faculty, department or equivalent academic units.

The information generated through such reporting and evaluation may assist higher education providers when they undertake periodic reviews of the design and conduct of their complaints and appeals procedures. Such reviews may help to ensure that complaints and appeals procedures remain in step with other procedures and arrangements, with legislative requirements and general expectations of good practice in handling complaints and appeals in higher education.

Monitoring and evaluating their complaints and appeals procedures enables higher education providers to satisfy themselves that the procedures are working satisfactorily for all their students, to take appropriate action where this is not the case and to gather valuable feedback for enhancement purposes. Higher education providers that deliver learning opportunities with other organisations ensure that such opportunities for enhancement are shared with those bodies.

**Higher education providers are responsible for ascertaining which laws and regulations apply to them. To meet the Expectation of this Chapter of the Quality Code, higher education providers may wish to consider the indicative list of reference points, guidance and examples of good practice below.**

Equality Challenge Unit (2010) Disability legislation: practical guidance for academic staff (revised)

[www.ecu.ac.uk/publications/disability-legislation-practical-guidance-for-academic-staff-revised](http://www.ecu.ac.uk/publications/disability-legislation-practical-guidance-for-academic-staff-revised)

Equality and Human Rights Commission: Guidance for providers of further and higher education

[www.equalityhumanrights.com/advice-and-guidance/further-and-higher-education-providers-guidance](http://www.equalityhumanrights.com/advice-and-guidance/further-and-higher-education-providers-guidance)

# Appendix 1: The Expectation and Indicators

## The Expectation

The Quality Code sets out the following Expectation about complaints and appeals on academic matters which higher education providers are required to meet.

**Higher education providers have procedures for handling student complaints about the quality of learning opportunities and appeals against academic decisions which are fair, efficient, accessible and timely and which promote enhancement.**

## The Indicators of sound practice

### Indicator 1

Higher education providers ensure that students have the opportunity to raise matters of concern without risk of disadvantage.

### Indicator 2

Higher education providers ensure that their approach to complaints and appeals encourages positive engagement with the process and offers opportunities for early resolution.

### Indicator 3

Higher education providers make available accessible information on their complaints and appeals procedures.

### Indicator 4

Higher education providers ensure that appropriate advice and guidance is available for students making a complaint or an appeal, and for staff involved in handling or supporting complaints and appeals.

### Indicator 5

The design of complaints and appeals procedures enables them to be conducted in a timely, fair and reasonable manner

### Indicator 6

Complaints and appeals procedures are conducted in a timely, fair and reasonable manner.

### Indicator 7

Higher education providers ensure that appropriate action is taken following a complaint or an appeal.

**Indicator 8**

Higher education providers have effective arrangements to record and report on complaints and appeals, to monitor and evaluate the effectiveness of procedures, and to reflect on their outcomes for enhancement purposes.

## Appendix 2: Membership of the advisory group for this Chapter

<b>Name</b>	<b>Position</b>	<b>Affiliation</b>
Keith Barker*	Policy Advisor	Department of Employment and Learning, Northern Ireland
Mandi Barron	Head of Student Services	Bournemouth University
Dr Tim Burton	Assistant Director	QAA (Chair)
Dr Dawn Edwards	Head of Quality Assurance and Enhancement	Royal Northern College of Music
Nick Entwistle (for one meeting)	Research and Policy Officer (HE)	National Union of Students
Helen Gartley*	Policy Officer	Department of Employment and Learning, Northern Ireland
Kez Hayat	Equality and Diversity Officer	University of Bradford
Mary Henaghan	Head of Governance and Academic Quality	Glasgow Caledonian University
Dr Constantinos Ierotheou	Director of Learning and Quality, School of Computing & Mathematical Sciences	University of Greenwich
Sharon Jones	Academic Registrar	University of Sussex
Lucy Kerry	Education and Professional Development Manager	The British Psychological Society
Mary Kirby	Director of Business Services, Student Services	The Open University
Anne Lee (for one meeting)	Adjudication Manager	Office of the Independent Adjudicator
Paul McFadden	Head of Complaints Standards	Scottish Public Services Ombudsman
Patricia McVeigh*	Head of Higher Education Policy Branch	Department of Employment and Learning, Northern Ireland
Felicity Mitchell	Deputy Adjudicator	Office of the Independent Adjudicator

Dr Iain Morrison	Head of Student Services	University of the Highlands and Islands
Iain Rowan	Assistant Director, Academic Services	University of Sunderland (specialist writer)
Richard Stock	Deputy Academic Registrar	The University of Essex
Roxy Shamsolmaali	Quality and Student Engagement Consultant	National Union of Students
Clive Turner	Head of Higher Education and CCNQ	City College, Norwich
Gail Wilson	Development Officer	QAA (Secretariat)

\* alternates

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