
Student Complaint Policy and Procedure



Contents

1. Purpose and Scope	1
2. Grounds for Complaint.....	2
3. Principles of the Student Complaints Procedure	3
4. Complaints Procedure.....	8
4.1. Stage 1: Local Consideration and Resolution	8
4.2. Stage 2: University Consideration.....	9
4.3. Stage 3: Appeal Review	11
4.4. Completion of Procedures and Referral to the OIA	12
Document Version Management.....	14
Appendices and Annexes	14
Appendix A: Student Complaint Procedure Flowchart.....	15

1. Purpose and Scope

- 1.1. The University aims to provide a high standard and quality of service. However, we recognise that things can go wrong and when they do students may have legitimate reasons for concern or need to complain about the University's provision of academic courses, facilities, services or staff.
- 1.2. This policy explains how students may ask the University to consider or investigate circumstances where they believe they have grounds for concern or complaint; and what happens if they are not satisfied with how the University has tried to resolve those problems.
- 1.3. The policy applies to all current students registered with the University. Former students may also submit a complaint within 25 working days following the end date of their course.
- 1.4. The *Student Complaints Policy and Procedure* is managed by the Office for Student Complaints, Appeals and Regulations (OSCAR).
- 1.5. Students studying at a partner institution will usually follow this procedure which will be managed by the equivalent team at that institution who will be able to provide details as appropriate. Unless otherwise stipulated, the University will only receive referrals to this procedure from partner institutions at Stage 3: Appeal Review.

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- 1.6. Students can access guidance and support regarding concerns or complaints from the following departments:
 - a. Gateway, Personal Academic Tutors and/or the Campus Registry.
 - b. Students can get free, impartial and confidential advice on the policy and procedure from the Students' Union at advice.su@uca.ac.uk.
 - 1.7. Members of University staff (or partner institutions) may seek advice from their Programme Director, Director of School, the Campus Registry or directly from OSCAR.
 - 1.8. For the purposes of this policy the University provides the following definitions:
 - a. A *working day* is considered to be Monday to Friday (9am to 5pm), excluding U.K. public and bank holidays, or other published University closure.
 - b. *Reasonable time* with regard to communication is considered to be 10 working days.
 - c. *Reasonable time* to implement an agreed resolution (unless otherwise justified in the complaint outcome) or to present evidence is considered to be 25 working days.

2. Grounds for Complaint

- 2.1. The University welcomes feedback about a department or service to help us improve without invoking this policy. Students are encouraged to provide feedback or to initially raise concern to the appropriate course, department or service provider in a positive and constructive way.
- 2.2. The University defines a complaint as an expression of dissatisfaction caused by a University service either failing to match the standards of service promised or failing to match the standards that it would be reasonable to expect.
- 2.3. Examples of grounds for concern or complaint may include, but are not limited to, the following:
 - a. A perceived failure, on the part of the University, to meet stated obligations (e.g. those set out in the prospectus, published course information or on the website).
 - b. Dissatisfaction with the standard of academic provision (e.g. course design, curriculum content and structure, assessment arrangements and information).
 - c. Concerns about the delivery or quality of the course, teaching, organisation or administration.
 - d. Dissatisfaction with the University's academic facilities (e.g. library, workshops and learning environments); or University provided student accommodation and other non-academic facilities and resources.
 - e. Inclusivity or equality of how a student believes they have been treated within or by the University.
 - f. The conduct of members of staff.

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- g. Events that have caused significant disruption to learning and teaching delivery or access to resources to support a student's study (excluding as a consequence of non-payment of fees).

2.4. Examples of issues that are not normally handled as complaints include:

- a. Matters of academic judgement, which cannot be the subject of either a complaint or an academic appeal.
- b. Complaints or appeals against a student's marks or otherwise relating to assessment or academic progress. These are considered by the *Academic Appeal Regulations and Procedure*.
- c. Complaints (including by a third party) against another student where it is alleged that the *Student Code of Conduct & Disciplinary Procedure* has been breached will be conducted in accordance with those regulations.
- d. Complaints arising from actions or decisions taken under the *Academic Misconduct Regulations and Procedure, Engagement and Attendance Policy, or Support to Study Policy* which will be considered solely under those regulations.
- e. Complaints on the grounds of disruption to learning or assessment because of non-payment of fees (see *Fees, Refunds and Debtor Policy*).
- f. Complaints about the admissions process, which will be considered solely under the *UCA Applicant Complaints Policy* (Appendix E, Admissions Policy).
- g. Matters relating to the Student Loans Company, which has its own complaints procedures.

2.5. Where a complaint relates to the University's provision of support for students with disabilities and/or specific learning needs, the investigation of these types of cases may also be informed by other relevant policies including Student Finance England's Exceptional Case Process. It is recognised that complaints of this nature may be subject to time restrictions and, where possible, the University will always aim to work within given time limits so as not to disadvantage the student.

2.6. Where a complaint is made against a member of staff, the conduct of the investigation will be informed by other relevant policies (e.g. the *Bullying and Harassment Policy*) and may be referred to the University's People and Culture (HR) department.

3. Principles of the Student Complaints Procedure

3.1. The procedure consists of a three-stage process.

- Stage 1: Complaint (Local Consideration & Resolution) enables students to raise any concerns they may have about their University experience with their Programme Director (or other appropriate lead with responsibility or oversight of the area of concern).
- Stage 2: University Considerations may be requested by a student that is dissatisfied with the Stage 1 outcome. Stage 2 complaints are conducted by the Academic,

Conduct and Experience (ACE) Review Board who will oversee and direct any required investigation and consider its findings to inform a Stage 2 outcome.

- Stage 3: Appeal Reviews are conducted by the ACE Appeal Board at the request of a student that is dissatisfied with the Stage 2 outcome. The Appeal Board will review the findings and decisions of the Stage 2 outcome to determine whether it was fair in all considerations.

3.2. Raising concerns in good time.

The University's approach to complaints is to provide, wherever possible, a prompt and local resolution to the concerns raised. Students are therefore encouraged to engage with University staff to find early resolutions.

- 3.2.1. The procedure requires an initial complaint to be made within 25 working days of the problem occurring or the student's last day on their course for the following reasons:
- a. It provides the opportunity for the University to address the student's concerns and provide reasonable and effective solutions.
 - b. Complaints not received in reasonable time may limit the ability for the University to investigate (e.g. where members of staff or other witnesses have left the organisation).
- 3.2.2. Consideration of late complaints will only be given where there is justifiable reason and evidence to explain why the student was unable to raise their concerns within the stated timescale. All late complaints will be dealt with in one of the following ways:
- a. Where no justifiable reasons for being late are provided, or because of the lateness a thorough investigation or reasonable resolution can no longer be provided, the complaint will be deemed to be *out-of-time* and rejected.
 - b. Complaints that are rejected as *out-of-time* at either Stage 1 or Stage 2 will be eligible for a Stage 3: Appeal Review up to 10 working days following notification of that decision.
 - c. A complaint submitted without justification more than 3 months after the date of the event, or the notification of a Stage 1 or 2 decision, will not be considered under any circumstances.
- 3.2.3. There may be circumstances where, for good reason, the University may request to extend the indicative timeframes of an investigation. In such circumstances the student will be informed as early as possible. For example:
- a. Complaints relating to multiple departments.
 - b. Complaints relating to members of staff where the investigation falls within the scope of relevant employment regulations and procedures managed by the People and Culture (HR) department.
 - c. A complaint received by a group of students where individual witness statements may be required.

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- d. Absence of key witnesses or members of staff required to inform the investigation due to unforeseen circumstances (e.g. illness).

3.3. Resolutions and Remedies.

Where the outcome of a complaint determines that specific action is required by the University, the outcome should be implemented as quickly as possible and within reasonable time. However, in some circumstances, resolutions may not be immediately possible or immediately 'visible' to students. Therefore, the complaint outcome should indicate the anticipated timeframe required to implement such measures or for the effect to be seen.

3.4. Investigations and Evidence.

3.4.1. The standard of proof is that of the *balance of probabilities*. That is to say, based on the evidence available, it is more likely that something was or was not the case.

3.4.2. The *burden of proof* when making a complaint is with the student. This means that it is the student's responsibility to provide the evidence to support their complaint. This might include the following:

- witness statements
- emails or written correspondence
- copies of handbooks or other published material
- images

3.4.3. Evidence must be provided at the time of submitting the complaint at the respective stage of consideration. Unless clearly stated that further evidence is to follow, an investigation will not consider evidence submitted after this time.

3.5. Communication and Engagement.

Where a complaint is raised, it is expected that the student will engage with all communications and/or action that may be required to support a resolution.

3.5.1. Communications concerning a complaint will always be sent to the student's University email account, except in the following circumstances:

- a. That their access to the University's email system has been suspended for any reason (including where the student has left or will soon leave the University).
- b. Where the student has provided an explicit request to use an alternative email address (or means of correspondence).

3.5.2. Where a student does not respond to enquiries in reasonable time, the University reserves the right to close the complaint.

3.6. The University will not consider malicious, dishonest, frivolous or vexatious complaints.

3.6.1. Complaints which are deemed to be the subject of dishonest conduct will be referred to the *Student Code of Conduct and Disciplinary Procedures*.

3.6.2. The University expects that anyone involved in the complaint procedure will treat each other with respect. Whilst the University appreciates that the nature of the

complaint may be sensitive or emotional, the University will not tolerate abusive or intimidating behaviour towards any party. The University reserves the right to suspend or close a complaint where such behaviour is demonstrated by a student or their representative.

- 3.6.3. Complaint requests that repeatedly attempt to illicit a consideration or outcome not permitted within the University's regulations will be considered vexatious. Examples of frivolous or vexatious claims may include, but are not limited to, the following:
- a. Repeated requests for a complaint to be considered by any other means than prescribed by the published procedures.
 - b. Insistence on pursuing non-meritorious complaints, unrealistic or unreasonable outcomes; and complaints designed to cause disruption or annoyance.
 - c. Requests that repeatedly cite grounds, circumstances or seek outcomes that are not permitted within the regulations.
 - d. A case that relies upon circumstances that were either not upheld or had been rejected by previous complaint (or other procedure).

3.7. All complaints will be treated confidentially by the University, subject to the following conditions:

- a. The case will not be disclosed or discussed with other students except where those students are identified as a material witness to the complaint.
- b. The case may be disclosed to relevant members of staff and departments where they are identified as a material witness, or their specialist knowledge is required to inform the investigation.
- c. A case will be disclosed to relevant members of staff required to administrate or conduct an investigation (e.g. investigating officers) or to carry out the outcome (remedy).
- d. Some circumstances of the complaint may be disclosed to the University's support services staff (or appropriate authorities) where the consideration or investigation of the complaint identifies concern for the student's wellbeing (such decisions will be informed by the University's designated Safeguarding Officers).
- e. Redacted and anonymised case information may be shared within the University for purposes of continuous improvement of the University's services.

3.8. Reasonable Adjustments to procedure

- 3.8.1. The University reserves the right to make reasonable adjustments to the procedure in exceptional circumstances where it deems it necessary to best support a student.
- 3.8.2. Requests to make reasonable adjustments to the processes within this Procedure, including the extending of deadlines for student responses, will be made upon the provision of evidence which demonstrates the need for those adjustments.

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- 3.8.3. On occasion, the OSCAR department may advise or decide, that due to the specific circumstances or nature of complaint, it should be escalated to Stage 2 of the student complaints process without having undergone a Stage 1 investigation. In these cases, the student (and any subject(s) of a complaint) will be informed of the decision and the reasons for it.
- 3.9. Legal representation is not normally permitted at any stage of the procedure. The *Student Complaint Policy and Procedure* is internal to the University and is not considered unduly formal.
- 3.9.1. If a student chooses to instruct legal representation to manage the correspondence regarding the case on their behalf, the University will engage with them only as the student's intermediary and within the purpose, scope and requirements of the regulations. Students are responsible for meeting any costs associated with their representation.
- 3.9.2. Where a student requests to be legally represented at a meeting because of the complexity of the case, their request will be considered on an exceptional basis.
- 3.9.3. The University reserves the right to seek and attain its own legal representation where it is agreed that a student's legal representation is permitted.
- 3.9.4. The University reserves the right to decline, suspend or discontinue a complaint made under the Student Complaint Policy and Procedure in the event that legal proceedings are commenced and the claim is considered to concern wholly or in part the subject matter of the complaint.
- 3.10. Group Complaints
- If a concern or complaint affects more than one student it may be raised individually or as a group.
- 3.10.1. If several students have raised a concern or complaint, the University may deal with it as one collective matter in the following circumstances:
- a. The University is informed of the names of all students who wish to raise the concern or complaint;
 - b. The process is conducted through a lead contact (who is one of the students making the complaint).
 - c. All the students sign an agreement that the student named as the lead contact will act on their behalf to help the University progress the matter.
- 3.10.2. Students who have not joined in the concern or complaint at that point will not normally be permitted to do so later unless a good reason is provided as to why they were not able to join at the time it was submitted.
- 3.10.3. Where more than one individual complaint is received by the University regarding the same concern, the University reserves the right to consider it collectively as a group complaint.
- 3.11. Alternative Dispute Resolution
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Where appropriate, the University may offer mediation as we believe that it can often help each party understand what is driving the concern and may be more likely to result in a swift and mutually satisfactory solution.

- 3.11.1. Students may request mediation at any time during Stage 2 of the procedure; or it may be recommended by the University at Stage 1 or 2 where it believes that it may support an early resolution to the concerns raised.
 - 3.11.2. If all parties agree to mediation, efforts will be made to arrange an initial meeting within 25 working days.
 - 3.11.3. A request for mediation puts a hold on any actions taken under this policy, including the time limits to complete the investigation or submit to the next stage.
 - 3.11.4. If mediation does not resolve the complaint, the matter can continue to be considered under this policy. Where a resolution is reached as the result of mediation, it will be considered the agreed conclusion of the respective stage of consideration under this policy.
- 3.12. To support the principles set out in this policy, the University will undertake to do the following:
- a. Ensure that the complaints procedure is operated fairly, competently and consistently.
 - b. Ensure that the procedure in any given complaint is completed as soon as is reasonably practical.
 - c. Ensure the complaints procedure is accessible to all students.
 - d. Ensure that no one should suffer any disadvantage, recrimination or reprisals for either making a complaint or submitting evidence in good faith.
 - e. To learn from the outcomes of complaint investigations in order to identify opportunities to improve the University's services and enhance the student experience.
- 3.13. Due to the impact that an ongoing complaint or investigation may have upon a student's assessment performance, any such student shall be eligible for support in accordance with the Mitigating Circumstances Policy (e.g. opportunity for deadline extensions) if they request it.

4. Complaints Procedure

4.1. Stage 1: Local Consideration and Resolution

- 4.1.1. Where a student has attempted to resolve matters by informal discussion but is not satisfied with the outcome, the student may initiate Stage 1 of the complaints process.
- 4.1.2. In the first instance, complaints should be raised with the Campus Registrar at their local Campus Registry Office.

Complaints must be submitted in writing (using an SCF1A form), but the University recommends discussing the situation with the Campus Registrar verbally if students are unsure of how to begin the process.

- 4.1.3. A complaint should be raised within 25 working days of the circumstances that prompted the complaint.
- 4.1.4. Upon receipt of a complaint, the Campus Registrar will do the following:
 - a. Acknowledged receipt within 5 working days;
 - b. Refer the case to be handled by an appropriate Local Complaint Officer (LCO) to consider the case. The LCO for Stage 1 complaints will normally be the manager or head of department responsible for the facilities, services and/or staff to which the complaint relates.
- 4.1.5. Following their consideration or investigation, the LCO will make one the following determinations:
 - a. That there is substance to all or part of the complaint; or
 - b. That there is no substance to the complaint.
 - c. The complaint is out of time.
- 4.1.6. The LCO will also determine what action(s) should be taken to address the cause of the difficulties that led to the complaint. This may also include where there are insufficient grounds to substantiate the complaint, but their investigation identifies improvements that would avoid similar future complaints.
- 4.1.7. Following the LCO's investigation and consideration, they will notify the student(s) of the outcome (and proposed resolution where appropriate) to their complaint within 25 working days.

4.2. Stage 2: University Consideration

- 4.2.1. Students may submit a request for a Stage 2 Complaint consideration in the following circumstances:
 - a. The student is dissatisfied with the Stage 1 outcome.
 - b. The student's concerns remain unresolved within reasonable (or stipulated) time of either a Stage 1 or Stage 2 outcome: or
 - c. Their complaint has been rejected as out-of-time at Stage 1.
- 4.2.2. Stage 2 Complaint Considerations are received by the OSCAR department and are conducted by the Academic, Conduct and Experience (ACE) Review Board.
- 4.2.3. To make a Stage 2 Complaint, the student must submit the following to OSCAR [oscar@uca.ac.uk]:
 - Completed complaint form SCF2,

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- Supporting evidence, including the Stage 1 outcome.
 - Rationale for dissatisfaction with the Stage 1 outcome.
 - The desired resolution of the complaint.
- 4.2.4. A Stage 2 Complaint Consideration may only be requested where one of the following applies:
- a. The complaint has been considered under Stage 1 of the complaints procedure and is received by OSCAR within three months of the date of that outcome or the resolution has not been implemented within the indicated time (whichever is later); or
 - b. The OSCAR department has agreed to receive the complaint directly at Stage 2 in accordance with paragraph 3.8.3.
- 4.2.5. All supporting evidence must be provided at the time of submitting the Stage 2 complaint.
- a. Unless it is clearly stated that further evidence is to follow within reasonable time, an investigation will not consider evidence submitted after this time.
 - b. The Stage 2 complaint procedure will only start once all intended evidence has been provided by the student (unless otherwise agreed by OSCAR).
- 4.2.6. Following receipt of the Stage 2 complaint, OSCAR will:
- a. Acknowledge receipt within 5 working days.
 - b. Determine whether the complaint is eligible for a Stage 2: University Consideration.
 - c. Present eligible cases to the next meeting of the ACE Review Board.
- 4.2.7. The ACE Review Board is responsible for conducting the stage 2 complaint investigation. In this capacity, the Review Board has complete discretion to do any of the following:
- a. Determine the scope and requirements of an investigation.
 - b. Request members of staff or departments to attend or provide papers, evidence or guidance.
 - c. Delegate all or part of the required investigation to individual board members or other appropriate members of University.
 - d. Meet with the student, any witnesses and establish what action is required to address the complaint.
- 4.2.8. During the investigation, and without prejudice to their final determination, the ACE Review Board may request the implementation of mitigating measures to support the student's study and/or welfare.
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- 4.2.9. Following their consideration or investigation, the ACE Review Board will make one the following determinations:
- a. That there is substance to all or part of the complaint; or
 - b. That there is no substance to the complaint.
 - c. The complaint is out of time.
- 4.2.10. The ACE Review Board will normally complete their consideration and relevant investigation of a complaint within three months from the date the complaint was received by OSCAR.
- 4.2.11. Where a complaint is found to have substance, the ACE Review Board has discretion to resolve or redress the complaint.
- 4.2.12. The student will be provided with a Stage 2 Complaint Report that provides the following information:
- A summary of the board's findings;
 - A rationale for the board's determination;
 - An explanation of the board's decision regarding any remedy or redress.
- 4.2.13. The OSCAR department will issue the outcome and report of ACE Review Board's findings within 10 working days of the decision being made.
- 4.2.14. If the student is not satisfied with the outcome of the Stage 2: University Consideration of their complaint, they may appeal the outcome by requesting a Stage 3: Appeal Review.

4.3. Stage 3: Appeal Review

- 4.3.1. A Stage 3 Appeal Review of a complaint outcome are received and considered by the Academic, Conduct and Experience (ACE) Appeal Board (the Appeal Board).
- 4.3.2. The appeal will only be accepted where the request is received no later than 12pm (midday) on the 25th working day following the notification of the Stage 2 Complaint outcome.
- 4.3.3. The purpose of Stage 3 is to review the evidence and conclusions reached by previous stages to determine whether the board would have made a similar or substantially different decision based on the evidence provided.
- 4.3.4. A Stage 3 Appeal Review is not required to investigate or reinvestigate a case and therefore the board will not usually consider new evidence to substantiate the grounds for complaint unless the following applies:
- a. The student is able to demonstrate why, for justifiable reasons, they did not present the relevant evidence earlier; and

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- b. The evidence clarifies the circumstances of the appeal such that it is reasonable to consider a substantially different conclusion may have been determined.
- 4.3.5. A Stage 3 Appeal Review will not usually consider any circumstances or grounds for complaint that were not previously disclosed or cited with the exception of evidence to suggest that the *Students Complaints Policy and Procedure* has not been followed such that it disadvantaged consideration of the complaint or outcome.
- 4.3.6. The student(s) may only request an Appeal Review on one or more of the following grounds:
- a. A procedural irregularity which has materially disadvantaged the student in the investigation or outcome of the complaint;
 - b. the emergence of new and relevant material that supports the complaint, that was not available at the time the complaint was first submitted;
 - c. that the decision was unreasonable in all circumstances.
- 4.3.7. The ACE Appeal Board may make decisions regarding the outcome of the complaint based on the following determinations:
- a. That the decision made by the Stage 2: ACE Review Board was reasonable in all circumstances (appeal not-upheld).
 - b. That based upon the evidence presented at Stage 2, the Appeal Board agree that it would have reached the same decision but believe there to be sufficient grounds to exercise its discretion (appeal part-upheld) and may either (i) its reconsideration of the case; or (ii) referral of the case back to Stage 2.
 - c. That the complaint has not been investigated in accordance with University procedures; or
 - d. That the decision made by the ACE Review Board was not reasonable based on the evidence provided (appeal upheld); or
 - e. That new permissible evidence has come to light since the Stage 2 consideration leading to a different conclusion of the case (appeal upheld).
The board may either do either of the following:
 - i. If the case requires investigation, the case may be referred back to Stage 2 for further consideration by the ACE Review Board; or
 - ii. The board may exercise their discretion in the reconsideration of the case based upon the available evidence.

4.4. Completion of Procedures and Referral to the OIA

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- 4.4.1. A student who is dissatisfied with the outcome of their complaint, once the University's internal appeal procedures are completed, may refer their case to the Office of the Independent Adjudicator for Higher Education (OIA).
- 4.4.2. Where it is determined, at any stage of the complaint process, that the outcome represents the last point in the University's internal procedures, the student will be eligible for a *Completion of Procedures* (CoP) letter, which will allow them to take their case to the OIA. Completion of procedures letters may be requested or will be issued as follows:
- a. A CoP letter will be issued in consequence of any Stage 3 decision other than one to return to the previous stage.
 - b. A CoP will be issued in consequence of a complaint being dismissed at any stage where it has been determined to be *vexatious* or *frivolous*.
 - c. A CoP letter may be requested within 25 working days of a student accepting the Stage 1 or Stage 2 outcome, or it had been otherwise reasonable for the University to believe the student's compliance with any resolution indicated that they had accepted that outcome.
 - d. A CoP letter may be requested within 25 working days of a complaint being rejected at Stage 1 or 2 as *out-of-time* where the case had otherwise not been referred to Stage 3.
- 4.4.3. A *Completion of Procedures* letter may only be issued by OSCAR with the approval of either the Head of OSCAR or the nominated OIA point of contact within UCA (usually the Student Affairs Manager).
- 4.4.4. The OIA provides an independent scheme for the review of student complaints and appeals. The complaint must be submitted to the OIA within 12 months from the date of issue of the *Completion of Procedures* letter.
- 4.4.5. Further details about the OIA can be obtained from the following website: <http://www.oiahe.org.uk/> or by contacting the OIA at the following address:

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

Document Version Management

Responsible Officer	Director of Academic Registry
Responsible Department	OSCAR
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Next Scheduled Review	2026-27 academic year

Appendices and Annexes

Appendices:

- Appendix A: Student Complaint Procedure Flowchart

Annexes:

- SCF1A: Student Complaint Form: Stage 1 Request
- SCF1B: Student Complaint Form: Stage 1 Outcome
- SCF2: Student Complaint Form: Stage 2 Request
- SCF3: Student Complaint Form: Stage 3 Request

Appendix A: Student Complaint Procedure Flowchart

