

# SEM

Student Complaints Procedure

Effective September 2019  
Next Review Date CE \*v •c2020

SEM

## **Introduction**

The School of Electronic Music (SEM) in partnership with The University of Central Lancashire (UCLan) is committed to providing high quality education and other services to its students. Our aim is to provide a supportive environment including academic, welfare and recreational services and to be responsive to concerns when they are raised.

Feedback from students is welcomed as part of SEM's approach to the development and enhancement of the quality of its services. SEM recognises that there may be occasions when you have cause for complaint about the service you have received, when this happens, the Student Complaints Procedure is intended to provide an accessible, fair and straightforward system which ensures an effective, prompt and appropriate response.

## **What is a complaint?**

A complaint is defined by the OIA as: *“an expression of dissatisfaction by one or more students about a provider's action or lack of action, or about the standard of service provided by or on behalf of the provider.”*

Examples of complaints might include, but not limited to:

- Concerns about the delivery of a programme, teaching or administration
- Failure by a provider to meet obligations outlined in course/student handbooks
- Poor quality of facilities, learning resources or services provided either directly from the provider or via contractors acting on the provider's behalf

Please note, this procedure does not apply where there are separate procedures in place:

- Academic appeals
- Appeals or complaints relating to the admissions process

**In the event of any uncertainty about the scope of this procedure or who to contact in the first instance, the Head of Student Services and Administration will be happy to help with any advice or support needed:**

Lawrence Allen  
School of Electronic Music  
Bexley Chambers  
Manchester  
M3 6DB  
Tel: 0161 833 4722  
E-mail: [lawrence@semmanchester.com](mailto:lawrence@semmanchester.com)

**In the event of a complaint being made against student services and/or administration staff, the Academic Manger may be contacted who will then decide on a suitable course of action:**

Paul Carnac  
School of Electronic Music  
Bexley Chambers  
Manchester  
M3 6DB  
Tel: 0161 833 4722  
E-mail: [pcarnac@semmanchester.com](mailto:pcarnac@semmanchester.com)

## Who can complain?

- This procedure is open to anyone who is a registered student of SEM.
- The procedure also extends to recent graduates or those who have recently ceased receiving services from the school.
- Former students may lodge a complaint up to 3 calendar months after their official course end date, or after their official date of exit from the school, whichever is applicable. SEM will exercise discretion where there is good reason for a complaint to be submitted outside these time limits.
- UCLan students registered for BA Hons Music Production who are dissatisfied with the provision at SEM, should pursue their complaint in accordance with this procedure in the first instance. In the event of dissatisfaction upon exhaustion of the SEM's procedure, students will be entitled to submit their complaint to UCLan under stage 3 of this Procedure within 15 working days of the date of SEM's final response.
- This procedure extends to students who have interrupted their studies, and those who have been temporarily excluded.
- Complaints may be raised individually or collectively. Where a complaint is raised collectively, a signed statement from all parties should be included confirming that they have been materially affected by the alleged incident and authorising SEM to correspond with a single named spokesperson.
- Individual complainants may also assign a spokesperson who may mediate between SEM and the complainant, or more simply be accompanied by any friend or relative during the process; however students who lodge a complaint may not be represented in their absence, unless there are exceptional reasons (such as a health condition) which mean this is necessary.

## Confidentiality and impartiality

You should be assured that no complainant will be disadvantaged by having raised a complaint. Privacy and confidentiality will be maintained in the handling of complaints except where disclosure is necessary to progress the complaint. It is the school's expectation that the confidentiality of any documentation generated by a complaint will be respected by all parties. Any individual about whom a complaint is made will have the right to be informed of the fact and nature of the complaint by their line manager.

SEM will ensure that decisions are taken by people without actual or perceived conflicts of interest at all stages of the process.

## Further advice and support

For further independent advice on making a complaint, please visit this site:

<https://www.officeforstudents.org.uk/contact/notifications-and-complaints/complaints-by-students-or-staff/>

The Office For Students provides further links to:

- The Office of the Independent Adjudicator
- CMA guide to consumer rights
- Citizen's advice
- Students of UCLan may also seek independent advice and support throughout this process. from the Students' Union Advice and Representation Centre, see [www.uclansu.co.uk/advice](http://www.uclansu.co.uk/advice). Staff in the 'I' can also provide general support and guidance and can assist with access to specialist services in Student Support and Wellbeing, including counselling, disability services and study support, see <https://www.uclan.ac.uk/students/>
- Where a student has declared a disability to SEM, all endeavours will be made to ensure that information is available in appropriate formats and reasonable adjustments are made to the proceedings and facilities to accommodate their needs.
- All stages of this Procedure are internal proceedings. These proceedings are intended to be fair and to comply with the rules of natural justice, and should not be adversarial or overly legalistic. There is no need for anyone to have formal legal representation.

### **Vexatious, malicious or frivolous complaints**

SEM may decline to deal with complaints which are vexatious, malicious or frivolous.

Examples of such complaints include but are not limited to:

- Complaints which are obsessive, harassing, or repetitive
- Insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes
- Insistence on pursuing what may be meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose or value.

Where SEM has reason to believe that a complaint is vexatious, malicious or frivolous, the matter will be referred to and discussed with the Director of Administration and Services.

At this stage the complaint may be rejected and a letter will be sent to the complainant detailing the reasons why SEM consider the complaint, or the manner in which the complaints process is being followed as an abuse of the process. The complainant may also be then subject to a separate Student Disciplinary Procedure.

The complainant will then have **5 working days** (after receipt of letter) to lodge an appeal in writing addressed to the Principal. The Principal will consider the appeal and will notify the student of his or her decision within **15 working days**. If the original decision is upheld, a Completion of Procedures letter will be issued.

### **Actions taken following conclusion of procedure**

In the case of all complaints, SEM seeks to ensure that appropriate and reasonable action is taken. Where a complaint is found to be justified in full or in part, any appropriate remedial action will be notified as part of the decision. If a complaint is found to be not justified at any stage, the reasons for the decision will be communicated, together with details of any further recourse that is available via this procedure or the Office of the Independent Adjudicator for Higher Education.

All action under this Procedure will normally cease on receipt of formal correspondence from a solicitor on behalf of the student, or on the instigation of legal proceedings against SEM in relation to the matters complained about.

### **Overview of complaints procedure**

#### **Summary of time limits: when should you raise a complaint?**

Complaints should be raised as early as possible, since any delay may affect SEM's ability to properly investigate the complaint or provide an appropriate remedy. It is important that students do all they can to meet the SEM's deadlines for the submission of complete and detailed material, so that complaints can be progressed as quickly as possible.

#### **Stage 1 - Informal stage**

Complaints should normally be raised with the relevant member of staff immediately where possible, and normally **not later than 10 working days after the incident** giving rise to the complaint.

#### **Stage 2 - Formal stage**

Stage 2 complaints should normally be lodged **within 15 working days of the Stage 1** response or **within 15 working days of the incident** giving rise to the complaint.

#### **Stage 3 - Review stage**

Stage 3 complaints should normally be lodged **within 15 working days of the Stage 2** response from the University or the final response from the partner institution.

## **Completion of the process**

SEM aims to conclude the process no later than **90 calendar days** after the start of the formal stage.

## **Referral of complaint to UCLan**

In the event that a BA Hons Music Production student makes a complaint regarding quality of learning, and remains dissatisfied after the stages of this procedure are exhausted, then the matter will be referred to a Complaint Liaison Officer in UCLan's Academic Registry **within 10 working days** after the completion of the review stage.

It is SEM's aim that all complaints are dealt with in a timely manner, in particular where the nature of the complaint requires swift action. There will occasionally be circumstances when, for good reason, SEM will need to extend the timescales set out in this Procedure. Where this is the case, students will be informed in writing and kept regularly updated about progress.

## **Summary of processes: what happens when you raise a complaint?**

### **Stage 1 - Informal stage**

It is anticipated that the majority of complaints will be resolved satisfactorily on an informal basis and close to their point of origin. However, the University recognises that there may be exceptional circumstances where this is not appropriate, in particular where the issues are complex and will require detailed investigation e.g. where a complaint relates to the conduct of staff members or covers a number of different incidents. In these circumstances, a formal Stage 2 complaint should normally be made **within 15 working days of the alleged incident or concern**.

In most cases, therefore, initial contact should be made with the relevant member of staff who is responsible for dealing on a day-to-day basis with the matter being complained about. For example, if the complaint refers to an academic matter, the first point of contact should normally be the module tutor, personal tutor or course leader/academic head (contact details available on page 2 of this document). A complaint may also be informally raised with another senior member of staff. Initial contact can also be by a spokesperson on behalf of a group (and at this stage of the procedure would not require a signed statement from the individuals concerned).

In order that a complaint can be dealt with effectively and efficiently, it should be drawn to the attention of the relevant member of staff immediately where possible and in any event normally **not later than 10 working days after the incident** giving rise to the complaint. At this stage, the relevant member of staff will normally discuss the complaint with you and other persons involved and make any other enquiries as s/he sees fit, to determine whether it can be resolved without recourse to more formal procedures.

### **A written record of the outcome will normally be sent to you within 10 working days.**

This will be notified to the Principal or Director of Services where the effectiveness of the School/Service could be improved, and may also be referred to in the event that the complaint is progressed to stage 2. Where informal resolution is not appropriate or possible, you will be directed to the formal stage below.

### **Stage 2 - Formal stage**

If, having pursued the matter informally, you are still dissatisfied; you may pursue the matter through the formal stage **within 15 working days of the informal written response being given**.

There may be circumstances where it is appropriate to progress directly to the formal stage 2, in particular where the issues are complex and will require detailed investigation e.g. where a complaint relates to the conduct of staff members or covers a number of different incidents. In these circumstances, a formal complaint should normally be made **within 15 working days of the alleged incident or concern**.

Your complaint should be submitted in writing to the Head of **CEA** (contact details available from page 2 of this document), using the Stage 2 Complaint Form at appendix 1. Where complaints are raised collectively at this stage, the complaint should include a signed statement from all parties confirming that they have been materially affected by the alleged incident and authorising SEM to correspond with a single named spokesperson.

The Stage 2 Complaint Form requires details of: the nature of the complaint; the informal steps taken to resolve it (or the reasons why informal steps have not been taken) and a statement as to why you remain dissatisfied; and the reasonable steps that you would wish to see taken to resolve the matter. Appropriate evidence should be appended e.g. copies of relevant letters, e-mails, signed witness statements and any other supporting documentation.

The Head of **CEA** will acknowledge your complaint and determine if it is eligible to proceed to the formal stage or whether it should be referred to a different procedure or to the informal/stage 1 or rejected because it is submitted outside the published timeframes without good reason.

If the complaint is eligible to proceed to the formal/stage 2, **CEA** will be instructed to

The **CEA** will gather and consider any relevant evidence and will ask to meet with you where **CEA** consider that it would be helpful, in particular, if it is a serious or complex case e.g. if it relates to the conduct of staff members or covers a number of different incidents.

You will also have the right to request a meeting with the **CEA** of Administration

You may be accompanied by a friend or family member for support. At the meeting you will be invited to present your case and will be given the opportunity to amplify your written case and to submit copies of any supporting evidence e.g. copies of e-mails.

The aim of the meeting will be:

- To clarify the issues that are to be investigated within the scope of the Complaints Procedure;
- To clarify the reasonable measures that you would wish to see taken to resolve your complaint;
- To ensure that where appropriate, any immediate steps are taken to address your concerns;
- To ensure that where appropriate, you are aware of relevant support services;
- To clarify the process and the anticipated timescale for a written response and your right to request a review under stage 3 if you are dissatisfied with the stage 2 outcome.

A formal record of the meeting will be taken and a copy will normally be sent to you **within 5 working days** with a request for you to sign and return the record with any comments. The formal record may be disclosed to any other person(s) named in the complaint or any other relevant parties.

The **CEA** of Administration will issue a formal written response with copies of supporting information that was considered during the investigation.

It is SEM's aim that complaints dealt with under stage 2 will be resolved **within 25 working days**. You will be informed if there is likely to be any delay in the process. All formal stage 2 complaints and responses will be monitored by the Principal.

### Stage 3 - Review stage

If you are dissatisfied with the outcome at stage 2, you may submit a request for a review of the decision under stage 3 of the Complaints Procedure.

Stage 3 may only be invoked where the preceding stage 2 has been completed. The purpose of stage 3 is to review the action(s) and decision(s) taken at the previous stage(s). No new complaints may be introduced at stage 3.

A request for a review should be submitted to the Principal using the Stage 3 Complaint Form at appendix 2 **within 15 working days** of the date of the stage 2 response and must be based on one (or more) of the following grounds:

- That new evidence or circumstances have become known, which the student could not have reasonably made known at the time of the stage 2 complaint;
- That stage 2 of this Procedure was not conducted fairly and/or in accordance with due process, and this materially affected the outcome;
- That the decision and outcome of the stage 2 complaint were unreasonable in the light of the evidence provided.

The Stage 3 Complaint Form also requires details of: the nature of the complaint; the steps already taken to resolve it and a statement as to why you remain dissatisfied; and the reasonable steps that you would wish to see taken to resolve the matter. Appropriate evidence should be appended e.g. copies of relevant letters, e-mails, signed witness statements and any other supporting documentation.

The stage 3 review will be carried out by a Complaint Review Panel (the Panel) comprising three members [A, B, C].

The Panel will review the case and may request further information from the student and/or the service/member of staff in question. Any new information will be provided to the student and the service/staff member before a decision is made. The Panel will consider whether, in particular: the relevant procedures were followed at stage 2; the outcome was reasonable in all the circumstances; clear reasons were given for the stage 2 outcomes; there are valid reasons for the late submission of new evidence. The Reviewer will decide on the appropriate action of:

- Dismissing the request for a review; or
- Convening a hearing to hear the case by the student and the response by the Director of Administration and Services;
- Upholding the request for a review and determining the outcome of the complaint, including any actions to be taken by the relevant service/member of staff; or
- Referring all or part of the complaint on to a Complaint Liaison Office in Academic Registry at UCLan where relevant.

The decision and outcome of the stage 3 complaint will be communicated by the Chair of the Panel to the student in writing, normally **within 15 working days of receiving the request for a review**.

A Completion of Procedures letter will be issued within 5 working days of the decision and outcome of the stage 3 complaint. This will state the options available for further levels of investigation in the event of dissatisfaction with the stage 3 outcomes.

Higher Education students who are dissatisfied with the outcome of their complaint and have exhausted SEM's complaint process should contact the following organisations to seek resolution:

- For service related complaints, please contact the Office of the Independent Adjudicator.
- For quality of learning complaints, please contact the relevant Higher Education establishment and follow their procedure.

**Further Information**

The Complaint Forms for all Stage 2 and Stage 3 complaints are attached at appendices 1 and 2. Please contact the Head of Administration if you require a copy of the Complaints Procedure in an alternative format or if you have difficulty in completing the Complaint Form.

**This Student Complaints Procedure has been reviewed to ensure compliance with the Quality Assurance Agency (QAA) Quality Code: Chapter B9 – Complaints and Appeals, and the Office of the Independent Adjudicator (OIA) Good practice framework for handling complaints and academic appeals.**

**Useful Web-sites:**

Students' Union Advice and Representation Centre

[www.uclansu.co.uk/advice](http://www.uclansu.co.uk/advice)

Student Support and Wellbeing, including Counselling Service

[http://www.uclan.ac.uk/study\\_here/student\\_support.php](http://www.uclan.ac.uk/study_here/student_support.php)

Office of the Independent Adjudicator for Higher Education

<http://www.oiahe.org.uk/>

Quality Assurance Agency

<http://www.qaa.ac.uk/en12>

SECRET

APPENDIX 1: STAGE 2 COMPLAINT FORM

Full Name: \_\_\_\_\_

Current Course/Module: \_\_\_\_\_

Month/Year of Entry: \_\_\_\_\_

Email Address: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Summary of the key points of your complaint (or reasons why informal steps have not been taken):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reasonable steps you would wish to see taken to resolve your complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

If you wish to request a meeting with the investigating officer, please tick this box

Please submit the following documents with this form:

- Copies of relevant letters, e-mails, notes and other supporting documentation
- A list of the key events in date order

APPENDIX 2: STAGE 3 COMPLAINT FORM

Full Name: \_\_\_\_\_

Current Course/Module: \_\_\_\_\_

Month/Year of Entry: \_\_\_\_\_

Email Address: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Please provide a brief summary of the nature of your complaint and the steps already taken to resolve it:

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The grounds for appeal against the stage 2 decision are as follows:

- a) That new evidence or circumstances have become known, which the student could not have reasonably made known at the time of the stage 2 complaint;
- b) That stage 2 of this Procedure was not conducted fairly and/or in accordance with due process, and this materially affected the outcome;
- c) That the decision and outcome of the stage 2 complaint were unreasonable in the light of the evidence provided.

Please detail which ground(s) you wish to seek a review of the stage 2 outcome (Ground a, b or c detailed above) and the reasons why:

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Reasonable steps you would wish to see taken to resolve your complaint:

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Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

Please submit the following documents with this form:

- Copies of relevant letters, e-mails, notes and other supporting documentation
- A list of the key events in date order

