



COLLEGE OF MEDICINE AND DENTISTRY (CoMD)

COMPLAINTS AND APPEALS POLICY

Version 4.0

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1: General Requirements

1. The Academic Council shall ensure that all students are dealt with in a fair and reasonable manner by ensuring there are clear and adequate processes for complaints and appeals of decisions made under these Regulations.
2. The Academic Council shall authorise the formation of an Academic Appeals Board which shall consider all permissible appeals.
3. Complaints and appeals must only be made by current students or recent graduates.

Definition: Complaints and Appeals

4. A **complaint** is the notification by a student to the College of their dissatisfaction with an aspect of service or treatment that they have received from the College. A complaint should usually include an indication as to what resolution is being sought.
5. An **appeal** is a written request by a student for the reconsideration of a determination made by an officer, board, committee, or panel of the College in relation to their status, progression, or achievement as a student.

General Principles

6. The Academic Council shall authorise such sub-regulatory instruments to ensure the effective discharge of complaints and appeals. The following general principles apply to the complaints and appeals processes:
 - 6.1 The complaints and appeals processes shall be private and confidential.
 - 6.2 No one may investigate cases in which any potential conflict of interest might arise.
 - 6.3 All members of College community (staff and students) are expected to act fairly and reasonably.
 - 6.4 No student will be disadvantaged, discriminated against or in any way penalised for initiating a complaint or appeal (unless malpractice is uncovered in the course of investigating the matter)
 - 6.5 Staff dealing with complaints and appeals will ensure that information disclosed by the student is only disclosed to third parties on a need-to-know basis.
 - 6.6 Where a complaint or appeal is upheld, the remedy will be implemented effectively and efficiently.

Monitoring, Evaluation and Review

7. The effectiveness of the complaints and appeals processes shall be monitored, evaluated, and reviewed annually and a report made to the Academic Council through the Teaching, Enhancement and Quality Committee (TEQC).
8. The College Academic Quality Office shall maintain a record of each complaint and appeal, detailing:
 - 8.1 the grounds for the application.
 - 8.2 whether the process was completed in accordance with the regulations and timescales specified in the sub-regulatory instruments.
 - 8.3 the outcome of the complaint and appeal.
 - 8.4 the profile of complaints and appeals by equality of opportunity criteria and College Centre.
9. The College Academic Quality Office shall complete an annual report in relation to complaints and appeals setting out:
 - 9.1 comments on any identifiable patterns in the applications for complaints and appeals.
 - 9.2 feedback from students on their experience of the complaints and appeals processes.
 - 9.3 the efficiency with which the processes were administered.
 - 9.4 recommendations for changes to the regulations and procedures based upon internal experience and external changes in best practice or legislation.
 - 9.5 comparison of the results of the analysis to those of previous years.
10. These reports shall be submitted to the TEQC and the Academic Council.

2: Student Complaints Policy and Procedure

1. The College shall provide a comprehensive policy and procedure for investigating and acting upon student complaints and will ensure that all complaints are taken seriously and are properly handled.

Principles

2. The following principles shall underpin the policy:
 - 2.1 complaints are important feedback to the College which can enhance quality.
 - 2.2 students will not suffer disadvantage as a consequence of making a genuine complaint.
 - 2.3 the College will seek to resolve complaints in a timely manner with the resources available.
 - 2.4 the College shall endeavour to assist students to resolve their complaints informally before they invoke the formal procedures; and,
 - 2.5 those College officers tasked to investigate complaints shall do so impartially and objectively.

Scope

3. This policy and the procedures set out what may be the subject of a complaint and what is more properly the subject of an appeal.
4. Anonymous complaints may be considered by the College. Whether and how they are investigated shall be determined by the Dean.
5. A complaint in relation to the following issues will be covered in the procedures set out in this policy:
 - 5.1 an act or omission concerning the administration or operation of a regulatory procedure or service provided by the College, e.g., fitness to practice issues not relating to academic judgement.
 - 5.2 the delivery or administration of the programme on which the student is registered, e.g., quality of teaching.
 - 5.3 the conduct of a member of the academic or support staff of the College, e.g.,

discrimination.

5.4 the conduct of another student registered on a programme at the College, and

5.5 any other matter concerning the operation of the College which adversely and unfairly affects the student, and which is under the College's control.

6. The procedures set out in this policy do not apply to complaints in respect of the following matters:

6.1 Appeals against admission decisions, which are dealt with by the Admissions Complaints process.

6.2 Appeals against academic progress decisions, which are dealt with by the provisions for appeal against an academic progress decision.

6.3 Appeals against the decisions of Board of Examiners which are dealt with by the College's Academic Appeal Regulations.

7. Timeframe for Making Informal and Formal Complaints:

7.1 An informal complaint should be made as close to the issue occurring, which is the subject of the complaint, normally within 40 calendar days of the occurrence of the subject of the complaint.

7.2 A formal complaint should be made as soon as possible after the informal procedures have been exhausted, normally within 15 calendar days after the conclusion of the informal procedures.

7.3 Complaints will only be considered outside this timescale if there are good reasons, supported by objective and authoritative evidence, for not complying within this timescale. Students should enclose a covering letter explaining the reasons for lateness and enclose any relevant evidence to support the lateness. The Academic Quality Office or nominee will consider the reasons why the form is late and will decide whether to accept the formal complaint for review.

Informal Complaint

8. Informal Complaint

8.1 Making the complaint

8.1.1 In the first instance, complaints should be raised informally with the relevant staff member. If discussion with the person concerned is not possible or not

appropriate, then an informal complaint should be raised with:

- a) the Student Support Team; or
- b) the student's Studies Advisor; or
- c) the Programme Lead.

9. Responding to the Informal Complaint

9.1 The person to whom the complaint is made will seek to resolve the matter informally as soon as possible and within 10 working days of the complaint being made.

9.2 If the complaint is more complex or the student is not satisfied that the matter has been resolved by the informal process, they may make a formal complaint.

Formal Complaint

10. Formal Complaint

10.1 Students studying at a College programme where College is an out-centre are Registered Students and full members of the Ulster University. They have access to Ulster University's complaints and appeals procedures and should proceed accordingly. For further information on this procedure, students can visit [Make a complaint \(ulster.ac.uk\)](https://www.ulster.ac.uk/complaints).

10.2 Students studying a College programme validated by Ulster University, or a College short course are required to follow the College's formal complaint procedure given below.

10.2.1 A formal complaint must be made in writing on the prescribed Student Complaints Form (Appendix C) available from the VLE and from the Student Services team, A complaint not submitted in the prescribed form may not be accepted.

10.2.2 The formal complaint form should be posted (postal address can be found on the formal complaint form) or emailed to the studentcomplaints@comd.org. The student is required to provide any documentation or evidence that they are relying on to support the complaint and detail the remedy they seek.

10.3 Responding to the Complaint

10.3.1 A member of the Academic Quality Office will investigate the formal

complaint.

- 10.3.2 On receipt of a completed complaint form students will receive an acknowledgement of the receipt of the complaint within 5 working days and the outcome of the investigation into the formal complaint in writing within 15 working days. Students will be informed if the investigation is likely to take longer than 15 working days.

Review of the outcome

11. Dissatisfaction with the Outcome of a Complaint

- 11.1 Students studying at a College programme as fully registered students at Ulster University and who are dissatisfied with the outcome of their formal complaint can ask to have their complaint heard by a student complaints panel at Ulster University. For further information on this procedure, students can visit [Make a complaint \(ulster.ac.uk\)](https://www.ulster.ac.uk/complaint).
- 11.2 Students who are studying a College programme validated by Ulster University with associate student status or students who are studying a College short programme and are dissatisfied with outcome of the investigation may request for their complaint to be reviewed in which case their complaint will be heard by a Review Panel at the College.
- 11.3 Review by to the Student Complaints Panel against the outcome of a formal complaint will only be considered where:
- a) there were procedural irregularities in the investigation of the formal complaint; or
 - b) new evidence can be presented which could not reasonably have been available to the investigator of the formal complaint; or
- 11.4 In order for the Student Complaints Panel to review the outcome, the student must specify a) the grounds on which the complaint is (as described in 11.3) and b) the resolution that the student seeks.
- 11.5 If the Student Complaints Panel is not provided with all this information, they may dismiss the appeal for lack of ground followed by the issue of a Completion of Procedures Letter by the Academic Office.
- 11.6 The panel will meet within 20 working days of receipt of the request for a panel

hearing. If it is likely to take longer than 20 days the student bringing the appeal will be informed accordingly.

- 11.7 The conclusions of the panel will be communicated to the students in writing within 10 working days of its meeting.
- 11.8 The Student Complaints Panel, may as a result of their investigation:
- a) confirm the outcome of the formal complaint.
 - b) substitute their own decision for that of the original investigator; or
 - c) order a new investigation.
- 11.9 Where the Complaints Panel confirms the original outcome of the formal complaint there shall be no further mechanism for appeal and the College's internal complaints procedure shall be deemed to have been exhausted. The student will then be issued with a 'Completion of Procedures Letter.'

Dissatisfaction with the Internal Procedures

12. Dissatisfaction with the College Internal Procedures

12.1 Students, studying at a College programme validated by Ulster University with associate student status, who remain dissatisfied and have exhausted the College's internal complaints procedures may refer their complaint to Ulster University. For further information on this procedure, students can visit [Associate Student complaints \(ulster.ac.uk\)](https://ulster.ac.uk/associate-student-complaints).

12.2 Students, studying at a College short course, accredited by bodies such as EduQual and NEBDN, who remain dissatisfied and who have exhausted the College's internal complaints procedures may refer their complaint to:

EduQual: info@eduqual.org.uk

NEBDN: info@nebdn.org

Escalation to Independent Bodies

13. Further escalation to Independent Bodies

13.1 Students studying on a College programme as fully registered students of Ulster University, who remain dissatisfied and have exhausted the Ulster University's internal complaints procedures can complain to the Public Sector Ombudsman.

For further information on this procedure, students can visit www.nipso.org.uk.

- 13.2 For students, studying at a College programme validated by Ulster University with associate student status or a College short course, who remain dissatisfied and have exhausted the College's internal complaints procedures and procedures of the accrediting/validating partner may refer their complaint to the Office of the Independent Adjudicator (OIA). The OIA is an independent body established by the Government to run an independent student complaints scheme for universities in England and Wales.
- 13.3 The student will be provided with a Completion of Procedures letter which informs them of their right of reference to the Office of the Independent Adjudicator. The student must include a Completion of Procedures letter with their application to the OIA. The student must refer their complaint to the OIA within 12 months of the date of the Completion of Procedures Letter.
- 13.4 For more information about the OIA and the procedure for submitting a complaint, students can visit the OIA website at www.oiahe.org.uk.

3: Academic Appeals

General Requirements

1. Academic Appeals for students studying at a College programme where College is an out centre are directed made to Ulster University and should proceed accordingly. For further information on this procedure, students can visit [Examination Appeals](#).
2. Students who Students, studying at a College short course, accredited by bodies such as NEBDN can utilise the below guidelines to make an academic appeal

Grounds for Appeal

3. A candidate may appeal against a decision of an examination board, with regards to the results of a module or assessment or a progress decision.
4. An appeal may be brought in the following circumstances only:
 - 4.1 On the basis of new information about extenuating circumstances which were not known to the Board when it made its original decision. Extenuating circumstances may be due to medical, domestic, or personal difficulties; or
 - 4.2 There are reasonable grounds supported by authoritative and objective evidence to believe that there has been administrative or procedural error of such a nature as to have affected the result.
 - 4.3 The following matters are not open to review through the appeals procedure:
 - 4.3.1 challenges to the academic judgement of the examiners on performance (e.g., marks awarded cannot be appealed).
 - 4.3.2 complaints about the delivery or management of a course after the student has presented themselves for examination/assessment; such concerns must be raised through the Complaints process.

Academic Appeals Board

5. The Academic Appeals Board will consider the candidate's case and review that case against the relevant evidence. This Board shall not consist of any members of the board or panel against whose decision the appeal is being brought.
6. The Board shall have the right to undertake such investigation and to invite evidence

from such people as is necessary to establish what action is required on the appeal.

7. The appeal shall be considered by the Board by reference to the candidate's registration and/or assessment number and without reference to their name.

Process

8. In the event of an appeal hearing, a candidate may be accompanied by a member of staff or student at the College. Where a candidate fails to attend a hearing, the case may be decided on the documentation.
9. Applications for appeals may only be brought in relation to unconfirmed results on awards or results on the completion of designated stages in a programme, published under the authority of the Dean.
10. Reasons where appeals will not be entertained are.
 - 10.1 appeals that go against the academic judgment of the examiners in relation to the assessment.
 - 10.2 in the case a judgment is made on Mitigating Circumstances where mitigating circumstances have been submitted and considered by the board of examiners.
 - 10.3 appeals or applications for Mitigating Circumstances based on complaints about the quality of programme delivery shall not be considered under these Regulations. Such complaints must be made under the Student Complaints Policy and Procedure.
11. A student must bring a complaint or an appeal on their own part. Requests or applications from a third party will not be entertained.
12. Anonymous complaints may be accepted and investigated at the discretion of the Dean.

Evidence Requirements

13. The candidate is responsible for ensuring that all supporting evidence is appended to the appeal form. Any evidence referred to in the appeal form but not appended to it will not be taken into account by the Academic Appeals Board.
14. Documentary evidence appended to an appeal form may be copies of the original documents, but the student may be required to produce original documents for inspection on request or at any hearing.

15. Except where marks have been recorded incorrectly, a successful appeal will not result in any change in the marks. If the appeal is upheld, the student will be permitted to complete, take, or repeat the assessment.

Conferment of an Award

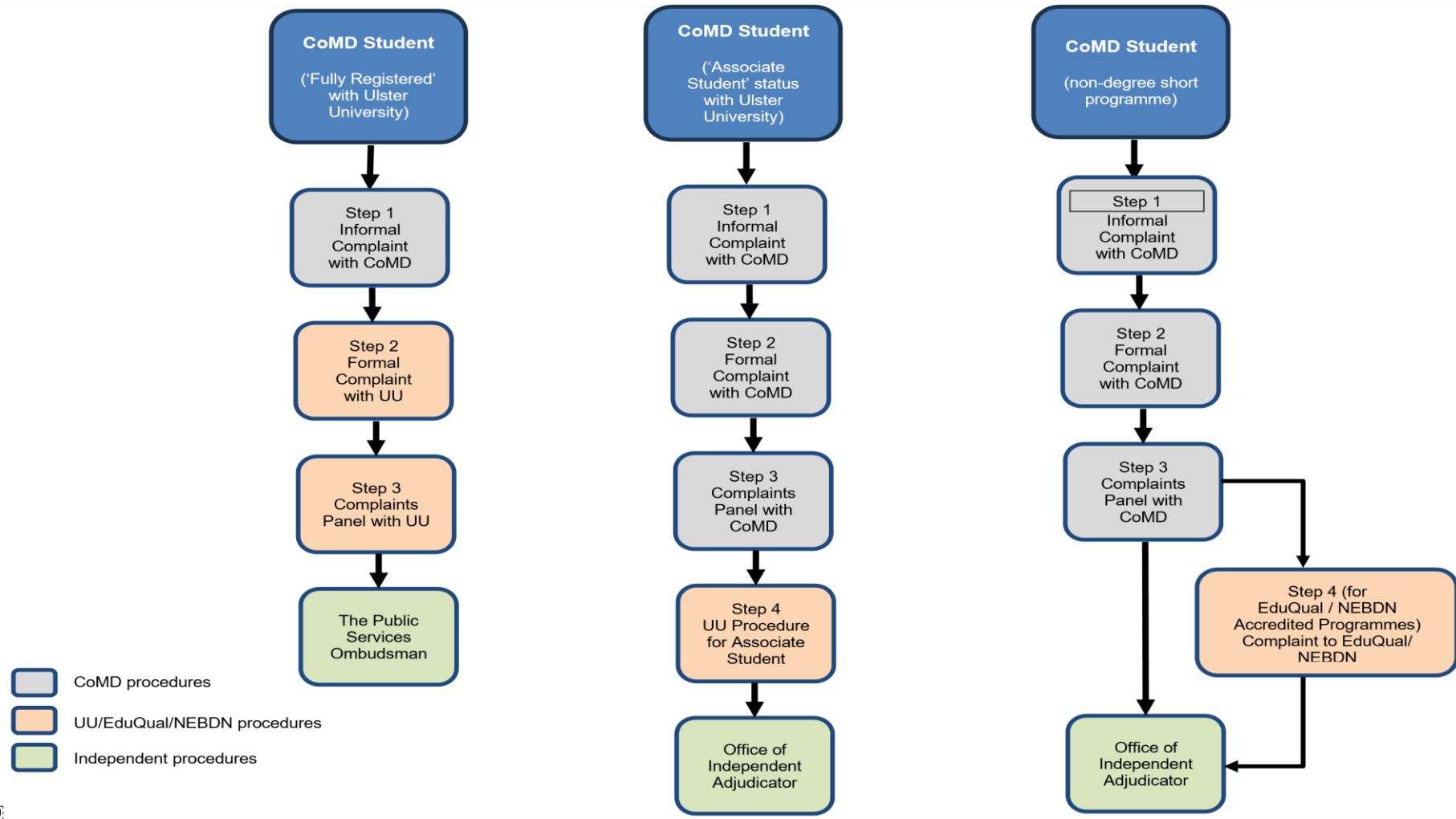
16. A student may not be conferred with an award until the appeals process has been finalised.
17. Where the decision of the Academic Appeals Board results in the student being admitted to an award the student may either receive the award in person at the next congregation or be deemed to have been admitted to the award on the authority of the Academic Council.
18. Where the student is dissatisfied with the decision of the College, the student may refer their appeal to EduQual at: info@eduqual.org.uk or NEBDN at info@nebdn.org

Further information regarding the procedures for submitting a complaint can be found on the following website:

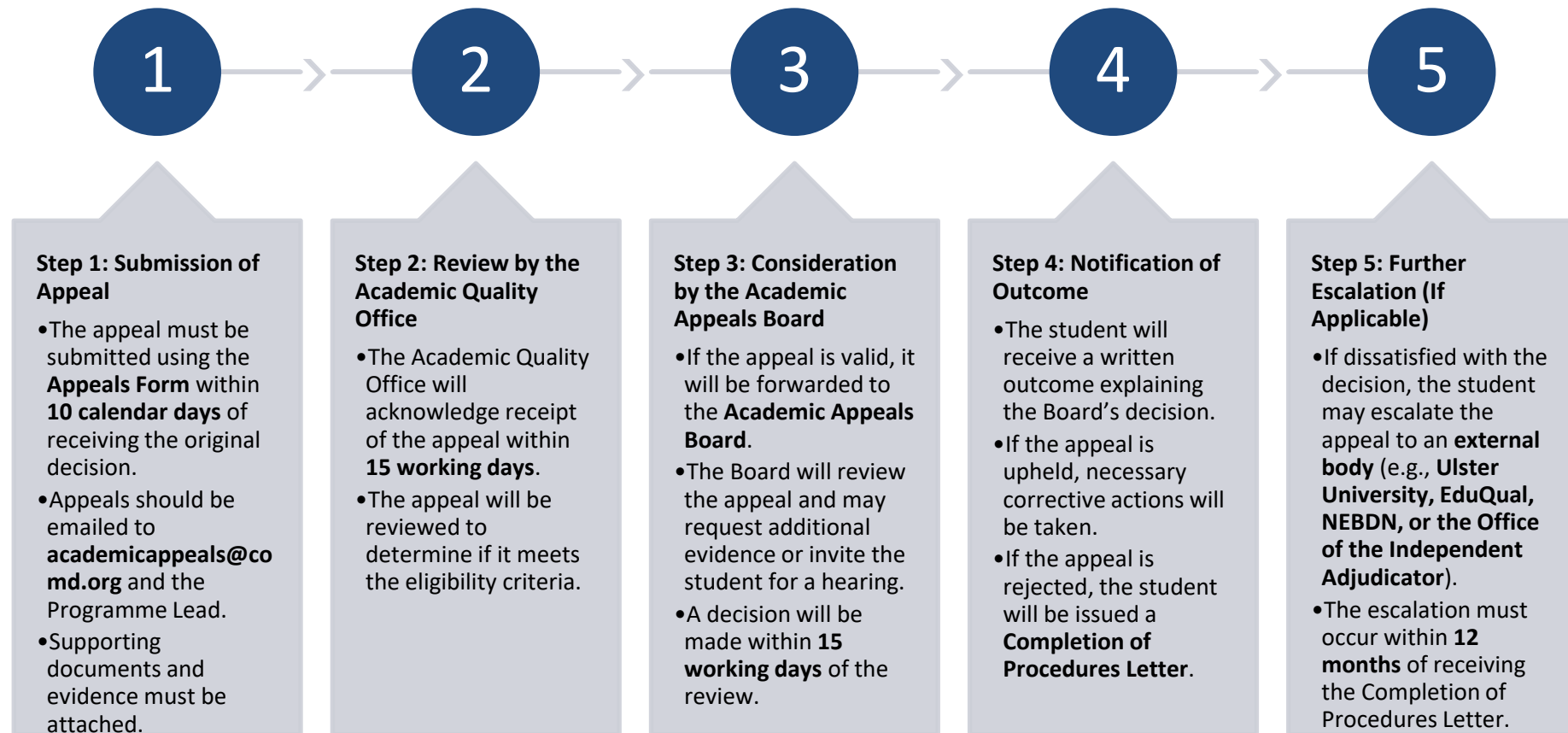
EduQual: <https://eduqual.org.uk/learners/>

NEBDN: <https://www.nebdn.org/policy-forms/>

Appendix A: Guide to Complaints Process for Students



Appendix B: Guide to Appeals Process for Students



Appendix C: Student Complaints Form

Name of Complainant:	
Course Title:	
Programme:	
Year of Registration:	
Details of complaint (<i>Please ensure that all relevant details are provided, including, where relevant, the date, time and place of the incident giving rise to the complaint.</i>):	
Please outline what action you have taken to resolve your complaint informally:	
Please explain the reasons for your dissatisfaction with the response you received during the informal stage.	

If you intend to appoint a representative from the CoMD student community to assist you, kindly provide their name, programme, and contact information. *By doing this you are confirming their agreement to support you:*

Signed:

Date:

Appendix D: Appeals Form

Student Details	
Name:	
Student ID	
Course Title	
Programme	
Year of Study	
Contact Email	
Appeal Details	Information
Decision being appealed	
Date of the decision	
Grounds for appeal	<input type="checkbox"/> New Evidence
	<input type="checkbox"/> Procedural Error
	<input type="checkbox"/> Mitigating Circumstances
Description of Appeal (Include relevant details, supporting evidence, and requested resolution)	
Supporting Evidence (List all attached documents, if applicable)	
Declaration	Statement
I confirm that the information provided is true and accurate to the best of my knowledge. I understand that providing false information may lead to disciplinary action	
Signature	
Date	

- Submit the completed form along with supporting documents to academicquality@comd.org and the Programme Lead.
- Please keep a copy of your submission for reference.