The University of Sheffield Student’s Union
Response to OIA Draft Framework for Handling Complaints & Academic Appeals

The Sheffield Students’ Union is supportive of a national good-practice framework for handling complaints and academic appeals & is grateful for the opportunity to contribute to this consultation.

This response reflects the views of –
- 2013-14 Union’s Sabbatical Officer team
- Student Advice Centre
- Student Voice Department
- Students who have experience of the University’s existing complaints and academic appeals procedures.

The Students’ Union has been consulted by the University (TUOS) about its own response to the draft framework. Although our opinions differ in places, there are many points of agreement. This response refers to the University’s submission as appropriate.

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<th>Question 1 – what additional resources and information should support implementation of the framework?</th>
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<td>A web-based resource would make the framework accessible to both universities and students. This format would also be easier to maintain and update than a paper based document.</td>
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<td>We feel that links to the following resources may be helpful to include -</td>
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<tr>
<td>Links to relevant QAA codes</td>
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<td>Links to Data Protection legislation</td>
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<td>Links to Equality legislation</td>
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<td>Links to NUS campaigns information</td>
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<td>We support TUOS’s recommendation that it would be useful to include a tool-kit for universities on handling complaints and appeals. Example of best-practice and example outcomes may also be a useful resource.</td>
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<th>Question 2 – Are the definitions of complaints and academic appeals accurate and useful?</th>
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<td><strong>Complaints</strong> - We feel the proposed definition of a complaint is too narrow in that it seems to limit the right of complaint to academic matters. We would recommend a definition that better reflects the breadth of a student’s university experience:</td>
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<td>“The expression of a specific concern about matters that affect the quality of a student’s university opportunities or experience.”</td>
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<td><strong>Academic appeals</strong> - We support TUOS’s response to this question. In addition, we feel it is not appropriate for the framework to define what would not normally be legitimate grounds</td>
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for appeal. Where a University defines clearly in its regulations the permitted grounds for appeal, this level of detail in a good practice framework seems unnecessarily prescriptive.

**Question 3 – Do the suggested time limits balance the need for effective internal review with the importance of resolving cases as quickly as possible?**

For all of the stages, we feel it would be preferable to define the time limit as working days rather than weeks/months. This enables a deadline to be accurately calculated & takes into account bank holidays & closure days.

Stage 1 – The proposed 2 week time (or 14 working days) limit places the right emphasis on swift and effective resolution of straightforward complaints. We are confident this will be of benefit to students. We know from experience that students feel dissatisfied with the time complaints can take to be dealt with:

“Having to make a complaint is not a great experience. Being able to see someone as soon as possible alleviates the frustration and anxiety around the cause of your complaint. Time adds to your emotions.”

Stage 2 – The proposed one month time limit is roughly equivalent to the 30 working days currently used by TUOS. We feel this is a reasonable time for dealing with more complex complaint and academic appeal cases.

Stage 3 - We are concerned that the proposed one-month time limit for a student to request a review is insufficient. The amount of work in making such an application is considerable. A hastily composed review request can create problems for the university dealing with it, and could result in further delays and requests for extensions on both sides. It is therefore beneficial to both parties for a student to be allowed realistic time to access advice about the case and to prepare evidence/paperwork. From experience, we believe a 3-month time limit for a student to request a review is preferable. This would be particularly true during vacation or assessment periods when a student will have other demands on their time.

Regarding the proposed 21-day time frame for resolving a review stage complaint or appeal, we note the University’s concern that this may not be workable. To avoid the frustration caused by missed time limits, 30 working days seems a more realistic proposal.

We agree with TUOS’s response to sections 63 and 79 of the draft framework. The draft processes for dealing with deadline extensions seem unnecessary and unwieldy. Instead, we would suggest that the framework allows a student who is not satisfied with the time taken by the university to deal with a complaint/academic appeal, to escalate that complaint/appeal to the next stage without waiting for the current stage to be concluded.

**Question 4 – Are the suggestions on recording the informal stage proportionate?**
Yes, we feel the proposals in point 39 are reasonable. Even where a complaint or concern is resolved informally, we believe it is good practice to confirm in writing to the student what has been agreed.

Such confirmation would reinforce to students that their complaint/academic appeal has been considered seriously, even at an informal level. This would hopefully improve the experience of students using these processes.

“I would say that whilst my complaint was resolved satisfactorily, there was a lack of transparency on the part of the university as they appear to have their own set of rules that students are not party to and cannot be informed about.”

This written confirmation forms a record that can be referred to by the university if a complaint or academic appeal is taken to the next stage.

Question 5 – Is it appropriate to introduce a sifting process at this formal stage?

We feel it is appropriate for universities to include a sifting process at the formal stage of both complaint and academic appeal processes. In addition to the purpose of establishing whether a case should go to Academic Appeals Committee, this offers an opportunity to identify and redirect cases that may have been submitted under an inappropriate procedure. For example, an academic appeal application that would be more appropriately dealt with as a complaint.

From our experience, students can find it difficult to determine the best procedure to use, particularly if a case involves multiple issues. A sifting process would ensure a student is not disadvantaged if they chose the wrong one. As such, it would seem compatible with point 17 of the draft framework.

Question 6 – Does the draft framework give the right emphasis to hearings in the complaints and academic appeals processes?

We believe a case officer should have the power to uphold an academic appeal without convening a committee. Therefore, it would only be necessary to convene a committee where a case officer decides it is necessary to fully consider a complaint or academic appeal or review.

Question 7 – Does the draft framework adequately reflect the importance of including legal representation only in exceptional circumstances?

We agree with TUOS’s view that it should be a student’s choice as to whether they seek legal representation. However we support the proposal in Point 61 of the draft framework that universities should make students aware of the implications of appointing legal representation. Currently at TUOS, students are asked to inform the TUOS in advance of a
hearing but do not explain why this is relevant. Providing this guidance would improve transparency of the processes and allow students to make better informed decisions.

Question 8 – Is the progression between stages clear?

The staging process seems to apply more logically to complaints than to academic appeals. We feel there needs to be more consideration given to how and whether an academic appeal could be dealt with and resolved under stage 1 of the process (Point 35). Students have expressed a need to appeal against in-term assessments & we feel this may be where a stage 1 appeal may be appropriate.

“If I could change one thing about the appeals procedure I would allow appeals to be made for individual assignment marks rather than having to wait for the final module grade.”

As addressed under Question 3, we feel the framework should allow a student who is not satisfied with the university’s handling of a complaint/academic appeal to escalate that complaint/appeal to the next stage without waiting for the current stage to be concluded.

Question 9 – What more would you do to clarify and explain this draft framework?

Point 3 – We would like the principles of the framework to include ‘accessibility’.

Point 47 – We believe a student’s right to confidentiality and/or restricting access to sensitive information is an important aspect of the framework. As such, we feel this section would benefit from further clarification and emphasis.

Point 50 – We are fully in favour of a student being provided with the name and contact details of the case officer dealing with their complaint or academic appeal. We believe this would help de-mystify the process and improve transparency. Whilst we note TUOS’s concerns about this proposal, we are confident that the vast majority of students would not seek to use this information to influence the process. The inconvenience to universities of dealing with occasional misuses of such information would be outweighed by the advantages to students of a more open and humanised process.

Point 56 – We are supportive of the role of mediation/conciliation in resolving student complaints.

Point 84 – We believe this point links in with Point 47 (see above) and may benefit from cross referencing.

Terminology – To ensure the framework is inclusive of all students, we would propose that less gender specific terminology is used. ‘He’ & ‘She’ may not be viewed as representative of transgender students.

The majority of students who contributed their thoughts about TUOS’s complaint and academic appeal processes unfortunately reported negative experiences. These ranged
from it being overly complicated, difficult to navigate, bureaucratic and perceived as being biased in favour of the university.

"Staff view people who make complaints as a nuisance, rather than someone who has had a bad experience which must lead to change to prevent such an experience from happening again."

We feel that the framework would greatly benefit from setting out clearly in its introduction the benefits to students and universities of having comprehensive, fair and transparent complaint and academic appeal procedures.

Imogen Hale
03.07.14