



Student Complaints Policy and Procedure

2024-25

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STUDENT COMPLAINTS POLICY

1. Introduction, aims, objectives and principles

- 1.1. The University of Cumbria is committed to the provision of high-quality academic courses and supporting services for all its enrolled students. However, we do recognise that things can sometimes go wrong and we do want the opportunity to consider students' concerns.
- 1.2. We encourage and advise students to seek early resolution wherever possible by raising concerns locally i.e.: directly with the person, academic programme team or service concerned as soon as they arise. If the concern has not been resolved locally, a complaint can be pursued under this complaints procedure.
- 1.3. Students are invited to say what outcomes they would like to be considered to resolve their concerns . Any outcome offered:
 - Is at the discretion of the investigating officer
 - Will be proportionate and relevant to the points of the complaint that have been upheld
 - May differ from that suggested by the student.
- 1.4. The University expects that all those involved in the submission and consideration of a complaint should act reasonably and fairly towards each other and treat the process itself with respect. Unacceptable behaviour such as use of the complaints process to harass or bully another individual may result in disciplinary actions and/or the University applying relevant restrictions. Students will be informed of any such possibility/decision and will be provided with information about how this decision can be reviewed.
- 1.5. Information submitted may be disclosed to any person who has a need to see it in order for the complaint to be fully investigated. Information may also be shared with relevant people and within University procedures after a complaint to facilitate actions and recommendations following investigation. We will ensure that the privacy of any information will be discussed with the individuals concerned when the complaint is submitted. However it will not usually be possible to keep the identity of a student making a complaint from the individuals who are the subject of the complaint.

2. Information, support, advice and guidance for students

- 2.1. Information for students about the Student Complaints Policy and Procedure is available online: ([Student Complaints Procedure | MyCumbria](#)). Information includes guidance on early resolution, informal and formal approaches.
- 2.2. **Students' Union:** The University of Cumbria Students' Union (UCSU) offers an independent source of information, advice and guidance. Information about the Students' Union Student Support Team can be found online: <http://www.ucsu.me/support>. We would strongly encourage students to contact the UCSU if they are considering making a complaint.
- 2.3. **Students with a disability/specific learning difficulty:** Students with an assessed or confirmed disability and/or specific learning difficulty may be offered reasonable adjustments to assist them during the Complaints Procedure. It is helpful if students indicate what adjustments they would find useful. Adjustments will be relevant to the disability and/or specific learning disability. Students with mental health conditions can seek support from the University's [Health and Wellbeing](#) team as they prepare and progress with a complaint.
- 2.4. If at any time, a student with a disability or mental health condition is unable to engage with the Complaints Procedure, consideration will be given to putting the procedure on hold until support has been accessed.
- 2.5. Staff involved in considering a complaint may liaise with colleagues in the University's Disability Team to ensure appropriate adjustments are offered or to seek relevant information to help inform decisions.
- 2.6. Further details on the roles of the Student Procedures team and the Students' Union is available in Appendix A.

3. Scope, eligibility and timescales of the Student Complaints Policy

- 3.1. Students enrolled with the University of Cumbria can use the Student Complaints procedure within three months of the issue that is the subject of the complaint arising.

- 3.2. A complaint is an expression of discontent about an action or lack of action on the part of the University including:
- The delivery of a course of study*.
 - The delivery of a service provided by the University*.

* This includes concerns:

- About a placement/practice experience. NB: The complaint may be referred to an appropriate manager at the placement for investigation under that organisation's procedures.
- Relating to the action or inaction of a University staff member.

- 3.3. If a group raises a common concern, a response will normally be made to an agreed representative of the group. Students should read and follow the guidance online about making a group complaint. ([Student-Complaint-Guidance-for-group-complaints.pdf \(cumbria.ac.uk\)](https://www.cumbria.ac.uk/student-complaint-guidance-for-group-complaints.pdf)).

- 3.4. A complaint may also arise from a concern about unfair treatment or discrimination related to part of the assessment and/or academic appeals process.

- 3.5. Former students may also make a complaint providing it is made within three months of the event complained of and is in line with the scope above.

- 3.6. Complaints withdrawn by a student will be considered closed. The University will not normally consider previously withdrawn complaints that are resubmitted, except in exceptional circumstances.

- 3.7. We will not normally consider a complaint sent by a third party (e.g.: family member, partner, representative) on behalf of a student unless this is considered appropriate as part of any reasonable adjustments for a student with a declared disability

- 3.8. The University urges any student who believes a criminal act has occurred to contact the police. The University complaint process is not a substitute for a police investigation.

4. Apprentices

- 4.1. If an Apprentice learner has a concern or complaint about any aspect of their Apprenticeship, they should contact/speak with their personal tutor

at the University in the first instance (reference to the learner's Commitment Statement). The learner should follow the guidance outlined above.

- 4.2. If the learner is not content with the outcome of their complaint once it has been considered through all the internal steps available via the employer's procedure and the University's complaint review (as described in section 7 below), or if the learner wants some help or advice, they may also contact the Skills Funding Agency:
- Web address: [Complaints procedure - Education and Skills Funding Agency - GOV.UK](#)
 - Email complaintsteam@sfa.bis.gov.uk or
 - In writing by post to The Skills Adjudicator, The Skills Funding Agency, Cheylesmore House, Quinton Road, Coventry CV1 2WT
 - Please check the Skills Funding Agency website for current contact details which can be subject to changes from time to time.
- 4.3. Apprentice learners may also make an application to the Office of the Independent Adjudicator for Higher Education (OIA) when all internal steps to resolve a complaint have been exhausted.

5. Partner institutions

- 5.1. In line with Partnership Arrangements, the University can consider a complaint from a student enrolled with a Partner institution. This will normally only happen after the complaint has been considered through the Partner's Complaints procedure and the student is not content with the outcome.
- 5.2. To be in scope, complaints must relate to the quality of the delivery and/or support related to the course of study.
- 5.3. These complaints should be submitted within 10 working days of the date that the outcome of the partner organisation's complaint investigation process was notified to the student, to: studentprocedures@cumbria.ac.uk. Students will be advised of the steps to be taken on receipt by the University. A complaint from a student enrolled with a Partner institution will normally be considered at Complaint Review stage once the partner's complaint procedures have been exhausted.

6. Accommodation Code of Practice

6.1 Students who are dissatisfied with the University's accommodation services may refer to the [Accommodation Code of Practice](#) and make a complaint under the provisions of that code. Such complaints may be submitted to the Student Procedures team, and will be dealt with in line with this policy and procedure.

7. Concerns out of scope of the Student Complaints Policy

7.1. The Student Complaints Policy and Procedure may not be used for the following:

- Admissions complaints
- Anonymous complaints
- Examination and assessment performance and outcomes
- Freedom of Information or subject access requests – there is a separate process for making a complaint relating to these requests
- Process or content of an established University policy or procedure
- Reporting of negative or critical feedback that is more appropriately considered through University student feedback mechanisms such as Staff Student Fora and module feedback
- Complaints about the Students' Union

7.2. Third Party complaints (i.e. complaints from people who are not students).

7.3. Students raising allegations, concerns or a grievance about the behaviour of a student, or a group of students, of the University community under the Student Code of Conduct.

7.4. Please see Appendix B for further details of how concerns relating to the above are addressed.

8. Vexatious or frivolous complaints

8.1. No student raising a complaint in good faith, whether successful or otherwise, will be treated less favourably or disadvantaged in any way. If evidence is found to suggest unfair treatment as a result of a student having brought a complaint, appropriate actions will be taken.

8.2. The University reserves the right to terminate consideration of a complaint, however, if it becomes clear that it is vexatious or frivolous.

This means a complaint that is without merit and is pursued , solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, repetitive, burdensome or unwarranted.

- 8.3. In these cases, the student will be notified by letter, outlining why the complaint is terminated and explaining the right of appeal. A Completion of Procedures letter will be issued at this point. Vexatious or malicious complaints may result in disciplinary action.

9. External redress – the Office of the Independent Adjudicator

- 9.1. Students may make an application to the Office of the Independent Adjudicator for Higher Education (OIA) when all internal steps in the complaints procedure have been exhausted. A Completion of Procedures letter will be issued where applicable, explaining what steps have been taken, how decisions have been reached and actions the student can consider externally.
- 9.2. Information relating to the OIA is also available at any time via: [Office of the Independent Adjudicator for Higher Education - OIAHE](#).

10. Equality, Diversity and Inclusion

- 10.1. The University of Cumbria is committed to providing an inclusive environment, where staff, students and visitors are encouraged to be their true self, in order to enhance the individual and collective experience. As a university community, we share the social responsibility of enabling this inclusive environment by valuing, respecting and celebrating differences, to ensure that we generate a sense of understanding and belonging.
- 10.2. The University recognises that our differences are our strength, seeking and valuing different perspectives and ideas, in an environment that is without prejudice and bias.
- 10.3. We are committed to embracing our responsibility as a facilitator of change and continue to develop our equality agenda in line with and, where appropriate, beyond the Equality Act 2010. We do not tolerate discrimination, bullying or harassment in any form on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

10.4. The Student Complaints Policy and Procedure and their implementation have been subjected to the University's Equality Impact Assessment (EIA) process. This ensures that due regard to any equalities impact has been considered, and that appropriate action has been taken to meet the needs of our community, without unlawfully discriminating.

11. Policy Review and Reporting

11.1. The Student Complaints Policy and Procedure are monitored annually and amendments can be made to reflect changes in legislation and good practice as appropriate and ensure clarity. An annual report is submitted to Academic Board, reporting on the use of this policy and accompanying procedure, complaint outcomes and any associated recommendations. A full policy review normally takes place triennially.

12. Risk Management Statement

12.1. Failure to comply with this policy could lead to an increased level of student dissatisfaction. This policy is in place in order that students can raise legitimate concerns about the provision and delivery of a programme of study and/or University service.

12.2. Complaints that are upheld can help to maintain good standards and enhance the quality of provision where required, encouraging positive feedback through the National Student Survey.

POLICY SCHEDULE	
Policy title	Student Complaints Policy
Policy owner	Academic Registry
Policy lead contact	Student Casework Manager
Approving body	Academic Board
Date of approval	January 2025 (TBC)
Date of implementation	First introduced Sept 1999
Version no.	2024-25
Related Guidelines, Procedures, Codes of Practice etc.	Student Complaints Procedure Student Complaint Guidance for Group Complaints Accommodation Code of Practice Review of Admissions Decision
Review interval	3 years.

STUDENT COMPLAINTS PROCEDURE

1. Introduction

- 1.1. The Student Complaints Procedure explains the ways in which you as a student enrolled with the University can raise concerns or complaints and the steps the University will normally take to respond.
- 1.2. Please consider the information outlined in the Student Complaints Policy, noting in particular the scope and timeframes in Section 3.

2. Early Resolution and raising your concerns informally

- 2.1. Early Resolution is encouraged wherever possible with the aim of reaching a speedy conclusion as many issues can be effectively addressed at a local level with a relevant member of University staff.
- 2.2. Concerns:
 - i) Should be raised at the earliest opportunity, ideally within 1 month and no more than 3 months after your concerns arise.
 - ii) Can be raised verbally, by phone or in writing (by email or letter)
 - iii) Can be raised with a range of University staff as relevant to the concerns. This might include, for example:
 - Personal Tutors, Programme Leaders, Principal Lecturers
 - Student Representatives who can raise concerns at Staff/Student Forums, where there are concerns about course delivery
 - Service Managers.

3. Writing your complaint – your responsibilities in the formal process

- 3.1. You must provide evidence in support of your complaint when you first raise it. This is your responsibility to do. Your complaint can be written as an email or via a Student Complaint Form, which also offers some additional guidance about making your complaint. Your complaint can be emailed to the Student Procedures team:
studentprocedures@cumbria.ac.uk.
- 3.2. You are advised to speak with the Students' Union for advice and guidance about making your complaint. Their contact details can be found online: [Book an appointment @ University of Cumbria Students'](#)

[Union.](#)

3.3. If you have a declared disability or specific learning difficulty, you can also talk with your Adviser if you would like assistance in forming your complaint. You can also contact the Student Procedures team to identify any reasonable adjustments that we can put in place to assist you during the Complaints Procedure.

4. Eligibility Assessment your complaint – your responsibilities

4.1. When your complaint is received, the Student Procedures team will make an Eligibility Assessment to ensure it meets the scope and timeframes explained in Sections 3 of the Policy. This will normally be completed within 10 working days from the receipt of your complaint.

4.2. The Student Procedures team may invite you to provide additional information or evidence as part of the initial eligibility assessment, but you should be aware that this may extend the timescales.

5. Considering your complaint

5.1. At the end of the eligibility assessment, you will be advised about the steps that can be taken. These will include, but are not limited to, passing your complaint to:

- i) The relevant manager (academic programme or service) to consider and respond to.
- ii) An independent Investigating Officer to carry out a formal Complaint Investigation.

5.2. In considering your complaint, the University ensures that you will:

- i) Be involved in the process.
- ii) Normally have the opportunity to meet or speak to the person looking into your concerns. These meetings are internal proceedings and while the attendance of a legal adviser is not prohibited, their attendance must normally be to act as a supporter and therefore they must adhere to acting as the student's supporter.
- iii) Receive a written (email) response to your concerns, with details of how decisions have been reached when a formal Complaint Investigation has taken place.

- iv) Have the opportunity to request a Complaint Review if you are not content with the outcomes, subject to stating the grounds on which you disagree with the outcomes.
- 5.3. The Student Procedures Team may also refer your concerns to an alternative procedure/process, for example, Student Code of Conduct, People & Culture, Academic Appeal for consideration. You will be advised if this is required.
- 5.4. If your complaint is not eligible for consideration, you will be given the reasons in writing (by email). Complaints are normally ineligible if, but not limited to:
- i) You have not provided evidence to support your complaint.
 - ii) Your complaint relates to events or concerns that date back more than 3 months and you have not provided a reason why you could not complain sooner.
 - iii) Your complaint is not related to the scope of the Student Complaint Policy.
 - iv) You have already received a response to your concerns (e.g.,: an attempt at early resolution directly with the service or programme team) and you have been unable to offer any evidence or reason why your complaint requires further consideration.

6. Eligibility Review Request

- 6.1. If you are informed that your complaint is not eligible for consideration, you may be able to request an Eligibility Review if you can meet one or more of the following grounds:
- i) You can show that your complaint is in the scope of the Student Complaints Procedure as explained in Section 3 of the Policy.
 - ii) You can show that there is good reason why your complaint was submitted out of time and you were unable to offer the reason earlier.
 - iii) You have new material evidence i.e.,: information that might have the potential to change a decision is now available which, for valid reasons, you were unable to provide when you first submitted your complaint.
- 6.2. You should complete an Eligibility Review Request form and send it to

the Student Procedures Team: studentprocedures@cumbria.ac.uk within 10 working days of the date the eligibility assessment outcome is sent to you.

- 6.3. Your request will be considered by an impartial manager, normally from the Student Procedures Team. One of two outcomes will be reached from the eligibility review:
- 6.4. Your complaint will be assessed as eligible and will be considered using any of the steps explained in Sections 5.1 or 5.2 above.
- 6.5. Your complaint will be confirmed as not eligible for consideration and the reasons for that decision will be given.
- 6.6. This will normally be completed within 10 working days from the receipt of your Eligibility Review request.

7. Complaint Review Request

- 7.1. If your formal complaint has been considered and you are not content with the outcome, you can request a Complaint Review, subject to grounds. You should complete a Complaint Review Request form and provide evidence of one or more of the grounds:
 - i) The Complaints Procedure was not correctly followed.
 - ii) You have new material evidence that you were unable to provide earlier. By material evidence, we mean information that might have the potential to change a decision, although this cannot be guaranteed.
 - iii) The remedy was not proportionate to the key points that were upheld.
- 7.2. You should send the form with any attachments to the Student Procedures team: studentprocedures@cumbria.ac.uk within 10 working days of the date you were sent the outcome of your complaint.
- 7.3. Your Complaint Review request will be considered by an impartial manager in the Academic Registry team who will assess whether you have provided evidence for the grounds you have identified. You may be contacted to discuss and clarify any aspect if needed.

7.4. There are two possible outcomes from the initial assessment of your grounds:

- i) **Your complaint is eligible for a Complaint Review** as you have provided evidence to support the grounds identified. The exact steps taken in the Review will depend on the grounds but will normally be one of the following:
 - a. All or part of your complaint will be considered by a new investigating officer if the procedure has not been followed correctly
 - b. The part of your complaint relating to the new material evidence will be passed to the person who first considered your complaint. They will review their findings in light of that new evidence and update you.
 - c. The remedy can be reconsidered.

Eligibility for a Complaint Review does not guarantee any change to the outcomes of your complaint.

- ii) **Your complaint is not eligible for a Complaint Review.** You will be given the reasons in writing (by email). Requests for a complaint review are normally assessed as not eligible when, but not limited to:
 - a. You have not provided evidence that the complaint procedure has been applied incorrectly
 - b. You have not provided new information that makes a material difference to the decisions made in the original investigation or consideration
 - c. The remedy offered where a complaint has been partially or fully upheld is believed to be relevant and proportionate.

7.5. You will normally receive the outcome within 15 working days of the date the Student Procedures team receives your Complaint Review request.

7.6. The outcome of the Complaint Review will be the University's final decision about the complaint.

8. Partner institutions

- 8.1. If you are enrolled at an institution other than the University of Cumbria (and the University of Cumbria validates your award), you should use your own institution's Complaints Procedure in the first instance.
- 8.2. If you have exhausted your own institution's complaint procedure, you may be able to request a Complaint Review through the University of Cumbria Student Complaint Procedure.
- 8.3. If you are not sure whether you can use the University of Cumbria's procedure, or you do wish to submit a complaint, please contact your own institution's complaints department or the University's Student Procedures team: studentprocedures@cumbria.ac.uk. Don't delay asking for advice or submitting your complaint as the timescales above will apply.

9. Complaints involving other organisations or contractors who provide a service on behalf of the university

- 9.1. If your complaint is about an organisation that provides a service on behalf of the university, please contact that organisation directly. If you are unsure about how to do this, you can ask us via studentprocedures@cumbria.ac.uk.

10. Summary of normal procedural timescales

- 10.1. All cases are important to the people involved, and most students are keen for us to resolve their case as soon as we can. The University attempts to resolve complaints as quickly as possible but some complaints can take longer, especially if there are many different issues, welfare needs for the parties involved, and a lot of evidence to weigh up. If you think a complaint needs to be resolved especially quickly, or before a certain date, please let us know as soon as possible and explain why. In the interests of fairness, we will only prioritise a case above others if there is a good reason for doing so.

11. Timescales

You should raise your complaint:	As soon as possible and no more than 3 months after the concerns arise
Where your complaint is raised through studentprocedures@cumbria.ac.uk :	
You should normally receive the outcome of the initial eligibility assessment:	Within 10 working days of receipt of your complaint
You should normally receive the outcome of a referral to the relevant programme or service manager:	Within 15 working days of your complaint being referred to the manager
You should normally receive the outcome of a referral to a Complaint Investigation:	Within 20 working days of your complaint being referred to the Investigating Officer
You can request a Complaint Review, subject to scope:	Within 10 working days of the date you are sent the outcome of your complaint
You should normally receive the outcome of the Complaint Review request:	Within 15 working days of receipt of the request by the Student Procedures team

12. External redress – the Office of the Independent Adjudicator

12.1. If you have exhausted all the internal options in the student complaints procedure, you may be eligible to make an application to the Office of the Independent Adjudicator for Higher Education (OIA) for a review of your complaint.

12.2. A "Completion of Procedures" letter will be issued when all internal steps of the University's procedure have been exhausted. The letter will set out the procedure used, steps taken and summarise decisions

and outcomes. Specific details about the OIA will be included. Policies and procedures governing independent review are determined by the OIA.

- 12.3. You can request a Completion of Procedures letter even if you have not used all of the steps open to you in the procedure by contacting studentprocedures@cumbria.ac.uk. The letter will note what steps were taken and confirm that not all internal steps available under the Complaints Procedure have been exhausted. The Office of the Independent Adjudicator will advise you about any steps they may then be able to take.
- 12.4. You can read more information relating to the OIA online: [Office of the Independent Adjudicator for Higher Education - OIAHE](#)

Appendix A: The Student Procedures Team and Students' Union

The Student Procedures Team is part of the Academic Registry and ensures each complaint is addressed in accordance with the policy and procedure outlined. This team doesn't investigate complaints but assesses the eligibility of complaints and identifies the most appropriate steps required to consider a complaint where eligible. The Student Procedures Team can also act as the point of contact for students and those staff with responsibility for investigating. The team has the authority to return the complaint as not eligible, to invite evidence to be provided, to indicate a more appropriate procedure and to inform the student of their right to appeal against this decision. A student can contact the team for information about the operation of the complaint procedure and the team may signpost the student to appropriate sources of information, advice and guidance via studentprocedures@cumbria.ac.uk.

Students' Union: Students are encouraged to discuss their concerns with the Students' Union which offers all students enrolled at University of Cumbria confidential support, advice and information. If requested, a member of staff from the Students' Union can accompany students to any meetings arranged under these procedures. Further information and contact details for members of the Students' Union Student Support Service team can be found on the Union's website: <http://www.ucsu.me/support>.

Appendix B: Concerns not in scope of the Student Complaints Procedure

Third Party complaints: The University will not normally investigate a complaint made by a third party (eg: parent, partner, sibling, friend, Member of Parliament, legal adviser etc). The exception to this may be where the third party is nominated as a reasonable adjustment for a student with a disability or specific learning disability. The University may still request that there is signed consent from the student involved for the third party to represent them. Guidance on communications with a 3rd Party (where not nominated as the representative as described above) can be found online: [Data Protection | University of Cumbria](#)

Anonymous complaints: The University will not normally progress a complaint where the identity of the person making the complaint is not known or they do not wish to be named as this is likely to impede the investigation and any communications about the outcome. We will also be unable to issue a Completion of Procedures letter. Students will have opportunities through their programme to provide anonymous feedback on their experience e.g., through module surveys, through programme representatives and in some cases through national surveys. There may, however, be exceptional circumstances where the University deems it appropriate to take action or investigate a matter based on an anonymous report; these decisions will be made by a senior manager of the University. Complaints of bullying, harassment or sexual misconduct can be made online via the University's <https://my.cumbria.ac.uk/Student-Life/You-Report-We-Support/> Online tool. Refer to the relevant policy at https://my.cumbria.ac.uk/media/MyCumbria/Documents/Student-Procedures/Prevention-of-Bullying-Harassment-and-Sexual-Misconduct-consolidated-staff_student-Policy-Final.pdf, which explains how these complaints are handled. Online tool. Refer to the relevant policy at https://my.cumbria.ac.uk/media/MyCumbria/Documents/Student-Procedures/Prevention-of-Bullying-Harassment-and-Sexual-Misconduct-consolidated-staff_student-Policy-Final.pdf, which explains how these complaints are handled.

Allegations, concerns or a grievance from a student about the behaviour of another student, or a group of students should be dealt with under the Student Code of Conduct and the Disciplinary Procedure.

Reporting of negative or critical feedback e.g. in evaluation and review processes: These concerns can be reported via feedback mechanisms such as student representatives (academic institutes) or via the Students' Union.

Examination and assessment performance and outcomes: where a student might seek to question the outcome of confirmed assessment or exam marks (following a University Assessment Board), they should refer to the Academic Appeals Procedure: [Academic Appeals | MyCumbria](#)

Admissions complaints: Applicants should refer to the [Admissions Policies and Procedure](#)
<http://www.cumbria.ac.uk/Courses/ApplicationsEnquiries/Enquiries/Documents.aspx> if they are seeking a review of an admissions decision

Freedom of Information: Complaints should be referred to the Freedom of Information procedure via [Freedom of Information | University of Cumbria](#)

Process or content of an established University policy or procedure: Students are advised to contact the Students' Union for independent information, advice and guidance about policies and procedures. Go to: [Book an appointment @ University of Cumbria Students' Union](#).

Students' Union: These complaints should be referred to the Students' Union complaints procedure via [UCSU | University of Cumbria Students' Union](#).

General feedback and suggestions about processes or content of procedures is welcomed via studentprocedures@cumbria.ac.uk. If you believe that the complaints procedure has not been applied correctly in a case you have been involved in, you may make a formal complaint about this using the Student Complaints Procedure.

Appendix C: Student Complaints Procedure Flow Chart