

Title:	Student Complaints Policy
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Approved by:	Senior Management Team
Policy owner:	Chief Operating Officer

WaterBear is a College of Falmouth University and as such its students are students of Falmouth University, studying at WaterBear. All WaterBear policies and procedures have been tailored to best suit the specific requirements of the College, its students and staff. In some instances, Falmouth policies and procedures may be deferred to for additional guidance, or where Falmouth policy has been deemed to cover both the requirements of the University’s operations and those of its academic partners.

Key Facts

- This policy should be read in conjunction with the WaterBear Student Complaints Procedure.
- This Policy applies to any student, prospective student and applicant of WaterBear in receipt of a direct service from the College.
- You should familiarise yourself with the entirety of this Policy, and we would particularly draw your attention to the following elements that have been updated, amended or changed since the last version of this policy:

Clause(s)	Description
General	Updates to reflect new job titles introduced by the organisation

Definitions

- “You” and “Your” means any student, prospective student or applicant of WaterBear.
- “We” “Us” “Our” and “The College” means WaterBear Education Ltd.

The Student Complaints Policy is managed by the Senior Management Team (SMT) for WaterBear, which is responsible for the effective development, implementation and management of the College’s policies, procedures and processes.

You can get free, impartial and confidential advice on this policy from the Falmouth & Exeter Student’s Union: advice@thesu.org.uk , <https://www.thesu.org.uk/advice/>



1. Introduction

- 1.1. The levels of service that you can expect from the College are outlined in course information and other publications and on the College website. Where you believe the College has failed in its provision of this level of service, and you are a student, prospective student or applicant of WaterBear in direct receipt of said provision, you may wish to submit a complaint.
- 1.2. Complaints must be submitted as per the Complaints Procedure, to allow the College to deal with concerns as quickly and efficiently as possible and ensure parity for all parties involved. The College expects all parties involved in the raising and investigation of a complaint to act reasonably and fairly towards each other in the spirit of conciliation, and to treat the procedures with respect in line with our shared College values.
- 1.3. If a complaint is received by the CEO or member of the Executive Team, it will be referred to the Heads of Education who will ensure it enters the procedure at the appropriate point.
- 1.4. This complaints policy is part of the College's process of quality review and improvement. Complaints are considered as useful feedback rather than criticism and are valued. Any comments about this policy should be referred to the Chief Operating Officer.

2. Policy Detail

- 2.1. You should raise your complaint as soon as possible after the specific issue and/or events against which you wish to complain occurred, and within the timescales stated within the Complaints Procedure. This process allows the College to investigate and respond to your claims and, where necessary make changes. If significant time has passed since the issues/events about which you wish to complain took place, it may be difficult and/or impossible for the College to conduct a fair and proper investigation into the circumstances and details of the complaint.
- 2.2. If there is a delay in submitting a complaint, you may be asked to explain the reason for the delay. If you do not have a valid reason, your complaint may be determined to be out of time and will not be investigated.
- 2.3. As far as possible complaints should be raised initially with a relevant member(s) of staff. Every effort will be made to facilitate early resolution, and it should be possible for the majority of complaints to be resolved quickly and effectively at this informal level. If you make a complaint which has not been raised informally in the first instance, it may be referred to the early resolution stage if appropriate.

- 2.4. Complaints cannot be made anonymously. If another person is named in a complaint, they have the right to know what is being alleged, and to know who is making the complaint. However, all complaints will be dealt with sensitively, in the spirit of conciliation, and as far as possible, confidentiality will be maintained.
- 2.5. A complaint involving alleged misconduct of a WaterBear student will be considered by the SMT to determine whether any action is required under the College's Student Disciplinary Policy and Procedure.
- 2.6. A complaint involving alleged misconduct of a member of staff will be referred to the SMT to determine whether any action is required under the College's Disciplinary Policy for staff.
- 2.7. You should be aware that where there is a serious allegation against a student or a member of staff is made, the College may have a duty to investigate the case, regardless of whether you wish to formalise your complaint. It may also be necessary to refer some serious complaints to Student Services or the SMT even where these have been reported outside of the timescale set out in the Complaints Procedure.
- 2.8. Whatever the nature of your complaint, you can expect it to be dealt with fairly and in accordance with the College's policies and procedures. The time limits set out in the Complaints Procedure will normally be followed; however, where this is not possible, you will be kept informed of progress.
- 2.9. Every complaint will be carefully considered, and you will be told the reasons for any decision. The College aims for the Complaints Procedure to find a satisfactory resolution to any problems. However, please be aware that the consideration of a complaint will not always produce your desired result, as provision of some results and/or services may be dependent on resources or policy decisions at College, University or national level.
- 2.10. You will not be discriminated against or suffer any recrimination as a consequence of making a complaint.
- 2.11. If the nature of your complaint alleges any criminal activity, the College may advise you to contact the police, or may, if considered necessary, choose to contact the police directly. If any subsequent investigation is carried out by the police, the College will suspend its investigation into the complaint until such a time as the police investigation has been concluded.

3. Matters not covered by this Policy

- 3.1. Some issues cannot be dealt with under this Student Complaints Policy. For example, this policy cannot be used to appeal against a decision made under the Student Disciplinary Policy or by an Assessment Board. Students wishing to make an appeal should read the Appeals Policy and Appeals Procedure.



- 3.2. All students are expected and required to be aware of and abide by the College's regulations, policies and procedures, and ignorance of any particular regulation, policy or procedure is not valid grounds for complaint.
- 3.3. If any aspect of your complaint is shown to be malicious, dishonest and/or vexatious, the complaint will not be considered. Examples include:
 - 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.
- 3.4. If your complaint is deemed to be malicious, dishonest and/or vexatious the College will issue a Completion of Proceedings Letter. Depending on the circumstances you may also be referred to the College's Student Disciplinary Policy and Procedure.

4. Third Party Communications

- 4.1. The College's relationship is with you as a student, irrespective of who pays your fees. The College will not deal with a third-party complaint made on your behalf unless there is a valid reason, for example, a reasonable adjustment for a diagnosed disability. In cases where a third-party complaint is appropriate, you will be required to complete a Third-Party Consent Form in order to formally authorise a third-party (such as a parent or guardian, carer, spouse or significant other) to act on your behalf. Where a Third-Party consent form is received, the College will only correspond with the individual authorised to act on your behalf.
- 4.2. In line with the General Data Protection Regulations (GDPR), the College has a policy on the confidentiality of information held about individual students. Therefore, information relating to a complaint cannot be released to a third-party other than when required by law or with the written consent of the student. If you would like to give your consent for the College to discuss your complaint with a third-party, please complete a Third-Party Consent Form.