

Academic Policies and Procedures



UNIVERSITY
CENTRE
SOUTH DEVON

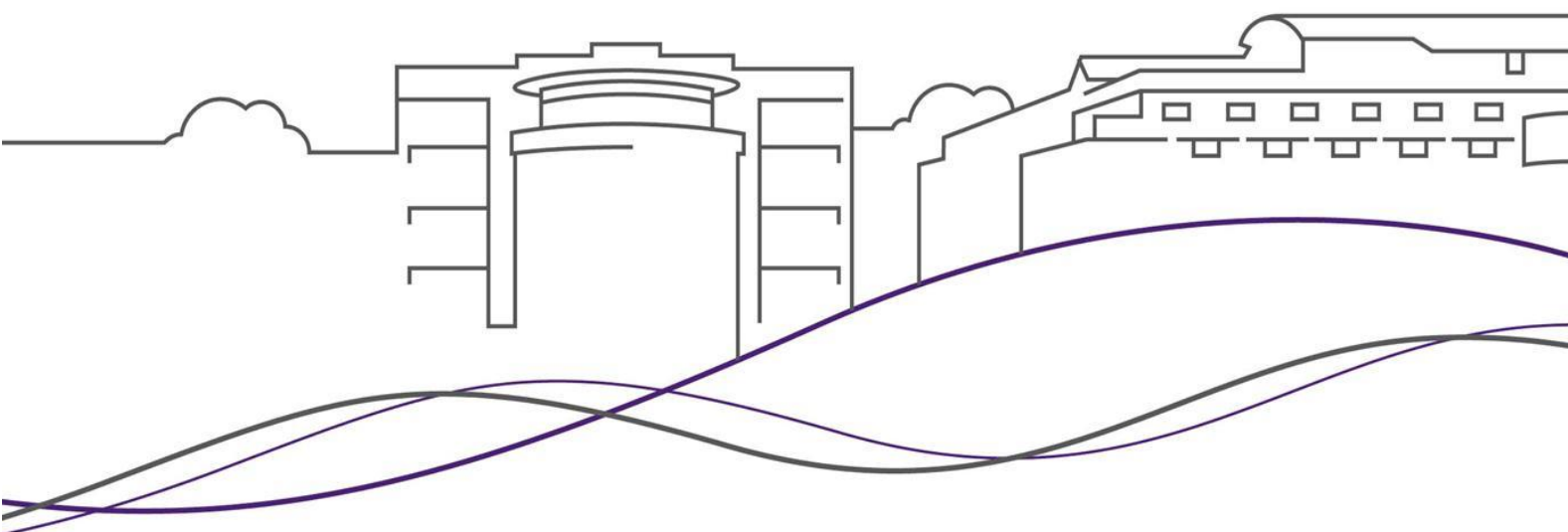
[] South Devon College

HIGHER EDUCATION

Vexatious Complaints Policy v4.0

For SDC Awards

For UoP Awards follow this [link](#)



Document Control

Document Approved by: HEAB	Date of Approval: June 23
Review by: Academic Regulations Committee	Review Date: May 24
Date of Implementation: Sept 23	CPD to support Implementation: HE Conference July 23
Version: 4.0	Author: A Wilson

Revision History			
Ver	Date	Author	Description
1.0	March 20	A Wilson	Conception
2.0	June 21	A Wilson	No changes
3.0	June 22	A Wilson	No changes
4.0	June 23	A Atkins	Job titles changed

Approval History			
Ver	Committee	Date Approved	Comments
1.0	HEAB	03 March 2020	Conception
2.0	HEAB	June 21	Approved
3.0	HEAB	June 22	Approved
4.0	HEAB	June 2023	Approved

1. What is a vexatious complaint?

1.1 The College understands that if a student makes a complaint, then it is a concern to them, whatever others might think. The College is committed to dealing with all complaints transparently or fairly and in line with its published procedures. However, the College reserves the right to consider a complaint vexatious for the reasons set out below.

1.2 The College considers a complaint to be vexatious as set out below, this list is not exhaustive;

1.2.1 Complaints which are obsessive, persistent, harassing, prolific, repetitious;

1.2.2 Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;

1.2.3 Insistence upon pursuing meritorious complaints in an unreasonable manner;

1.2.4 Complaints which are designed to cause disruption or annoyance;

1.3 Deciding whether a complaint is vexatious is a balancing exercise. The Dean of Higher Education, or designated substitute, making this decision will take into account all the circumstances of the case and will consider both the contents of the complaint and the student's behaviour in relation to the complaint before reaching a decision.

1.4 A student who has been found to have submitted a vexatious complaint may be referred under the Student Code of Conduct and Disciplinary Procedure. Students whose programme of study leads to professional registration may be referred to under the Fitness to Practise Procedures.

1.5 Students whose behaviour is a cause for concern and where the College considers that there may be an underlying problem may be referred under the HE Study and Wellbeing Review Policy.

2 What happens if a complaint is found to be vexatious?

2.1 If a decision is taken by the Dean of Higher Education, or designated substitute that a student's complaint is vexatious, they will write to the student explaining that they are no longer prepared to engage with the student in relation to the vexatious complaint. The student will be given a full written explanation for the decision.

2.2 If a student wishes to challenge the decision then they should submit a written appeal to the HE Quality Office within 10 working days of the date noted on the explanation letter. The appeal will be considered by the Vice Principal, Curriculum Performance & Deputy CEO or designated other.

2.3 The Vice Principal, Curriculum Performance & Deputy CEO, or designated substitute will review the information on the file, including any representations the student has made, and will decide whether the appeal is to be upheld or rejected. If the appeal is

upheld the Vice Principal, Curriculum Performance & Deputy CEO or designated substitute will instruct that the student's complaint is reviewed by a different College Department and in line with the College's published procedures.

2.4 The decision of the Vice Principal, Curriculum Performance & Deputy CEO or designated substitute, is final and a Completion of Procedures letter will be issued to the student.

2.5 If a student remains dissatisfied with the College's final decision then they may submit a complaint to the Office of the Independent Adjudicator for Higher Education. Further information is available via the OIA.