

HOW TO COMPLAIN

When you, as a student, want to complain, there are a number of conditions, you should be aware of. The purpose of this guide is to help you get an overview of what it takes for you to complain, what time limits there are, and where you can get help with your complaint.

1. What you can complain about – and what you cannot complain about!

All complaints must be submitted via our complaint system on www.baaa.dk. You can complain about the following (cf. the Ministerial Order for Examinations No. 1500 from 2 December 2016, §43 and §52 but only in Danish):

- The basis of the exam (exam questions, assignments, etc., as well as their relationship to the programme's learning objectives and requirements)
 - The exam procedure (the way the exam is planned, disturbances etc.)
 - Assessment criteria (marks)
- or
- Legal issues (in contravention of applicable laws - see section 3).

A complaint can include several of the above elements, but you should as far as possible, specify which complaint you are referring to when you write your complaint. In addition, you must be aware that a complaint must be submitted within 14 days after the assessment of the exam has been announced in the usual way.

However, you cannot complain about the following for example:

- Poor supervision. The assessment relates only to your actual exam, therefore, complaints concerning poor or inadequate supervision should be sent to the head of department for your programme instead.
- That others have been given a higher mark. The assessment of exams is individual and related to the criteria that are associated with the 7-point scale and the requirements contained in the subject's curriculum. Therefore, it is irrelevant what the level of the other students is.

2. Complaints about the mark, the procedure, or the basis of the exam

Before you complain

Before you complain about an exam assessment, it might be a good idea to contact your examiner and ask for an explanation of your assessment *and what specifically was important for your assessment*. You do not have any right to get an explanation, either before or after the appeal deadline, but many examiners will give you a reason if you ask for it. Phone or email your examiner and make an appointment so that he/she has time to explain your assessment.

Please note:

- that contacting your examiner does not have any effect in relation to the complaint deadline of 14 days.
- that the examiner cannot change your assessment – this can only be done through a formal complaint.

You can also read about the complaint process in '**Worth knowing about the exams**' and in your **curriculum**

What is a substantiated complaint?

If you choose to complain, the complaint must be in writing and substantiated. And you must submit your complaint within 14 days after the exam results are known.

Getting marking instructions

If there are marking instructions for your exam, it is a good idea to start reading them before you complain. This allows you to assess your own answers and can help you to justify your complaint. In your dialogue with the examiner, you cannot expect them to go through your answers in relation to the mark you received, but you can get a reason for the given mark.

What does it take for a complaint to be substantiated?

The complaint must contain the conditions that have led you to complain. This means that you must, in writing and in detail, explain what you are complaining about and why. You must be especially detailed with your reasons, and use them in relation to the curriculum's learning objectives as well as, where appropriate, any formalities.

It is your own responsibility that the complaint is substantiated so that the complaint can be handled appropriately and has the necessary information on which to make a ruling. This means that the more substantiated your complaint is, and the more precise you have been in explaining your reasons for complaining, the better the basis will be for the processing of your complaint.

If information is missing in your complaint, you will not be asked to elaborate on it. Therefore, it is important that you spend time writing your complaint so that it is clear what you are complaining about and why.

Contact with student counsellors

Before you complain, it is also a good idea to enter into a dialogue with your student counsellor. The student counsellor can help you to clarify, firstly, whether there is a basis for a complaint, and secondly, what you, if appropriate, should emphasise in your complaint.

What happens once you have sent a complaint, and when will you get a decision?

The deadlines below specify the typical deadlines for the handling of complaints. The responses might take longer during holidays.

1. You submit your complaint via the complaint system on baaa.dk.
2. Once we have received your complaint, we will check that your complaint has been sent in a timely manner, i.e. within 14 days of the mark being published, and we will get information about the examiners. Next you will:
 - a) provided the complaint was submitted in a timely manner, receive confirmation of our receipt of your complaint, and that the processing of your complaint has been started.
 - b) If the complaint was not submitted in a timely manner you will, as a general rule, have your complaint rejected. You will also be notified if your complaint is rejected.

This takes no more than *one week*.

3. If your complaint was received in a timely manner, we will send your complaint to the examiner(s) and co-examiner who adjudicated at your exam. They typically have two weeks to prepare a reply.

This takes *two weeks*.

4. Once we have received the replies from the examiner(s) and the co-examiner, we will send their comments to you. You will then have a week to comment on the examiners and co-examiners comments.

This takes *one week*.

5. When the deadline for the submission of your comments is over, all documents regarding your complaint will be sent to the head of department for your programme. The head of department makes a decision on your case on the basis of the existing documentation i.e. your complaint, the examiner(s) and co-examiner's replies and any possible reply you have to them.

This takes *one week*.

6. The ruling will then be sent to you.

This means that typically a maximum of 6 weeks will pass from the time you sent your complaint until a decision has been taken regarding your complaint. However, the processing time will be longer during the holidays (particularly the summer holiday in July) and other public holidays and the festive season.

What can the ruling be?

The ruling will not change your mark. The ruling can instead (see the Ministerial Order for Examinations):

- 1) offer you a new assessment (reassessment) - only for written exams
- 2) offer you a new exam (re-examination) or
- 3) reject your complaint.

However, it should be noted that a reassessment or re-examination may result in a lower mark.

Can you participate in a re-examination whilst your complaint is being dealt with?

If you have failed the exam that you are complaining about, we recommend that you take the re-exam even though this may occur before you receive the ruling on your complaint.

If you are successful in your complaint concerning the original exam result, and yet you get a better result at the re-exam, the best mark will be valid.

3. When you as a student want to complain about legal issues

Legal questions such as for example violations of written rules, including curricula, or a breach of unwritten rules for exams etc.

Any mark after the reassessment or a new exam, and possibly the Appeal Board's decision, is final. This means that you cannot take your complaint any 'further in the system' as far as the academic part of your complaint is concerned.

If you believe that legal mistakes have been made by either the head of department or the Appeal's Board or in the assessment of a reassessment or a new exam, you can refer this or the legal issues to the rector. This could be for example that you believe that a legal error has occurred in connection with the complaint process.

What should you be aware of when you complain about a legal issue?

Time limits: Your complaint about a legal issue in connection with a decision must be submitted at least 2 weeks after the decision of your submitted complaint has been communicated to you.

Two types:

- Complaints about a legal issue for decisions made by the examiners (reassessment) and by the Board of Appeal (appeals) must be submitted to Business Academy Aarhus. The Academy will then make a final decision.
- Complaints concerning a legal issue in the decisions made by Business Academy Aarhus can be referred to the Ministry of Higher Education and Science. The complaint must be submitted to the Academy, which will then provide a statement, which you are given the opportunity to comment on within a period of 1 week. The complaint, the Academy's statement and any comments are then sent to the Ministry.

4. Appeal

Any appeal of the ruling of the complaint should be sent to complaints@baaa.dk. You will get guidance about the process of appeals when you receive the ruling of your complaint.

5. More information

You can find more information about exam complaints here:

- Ministerial Order No. 1500 from 2 December 2016 at <http://www.retsinfo.dk> (in Danish only)

You can also get more information about exams and complaining about exams from our student counsellors.

Good advice

1. Think things over before you choose to complain. The complaint must be well justified anyway and this takes time.
2. Keep in mind that when you accept a reassessment or new exam, your mark can also be lowered - but only once you have been offered a reassessment or a new exam and accepted this.
3. If there are learning objectives for your project, make sure that they cover the learning objectives described for the subject, you can find these in the curriculum. THE LEARNING OBJECTIVES IN THE CURRICULUM ARE ALWAYS VALID - the curriculum is law.
4. If there isn't time to speak to your examiner before the 14-day appeal period expires, then write and send your complaint without talking to the examiner.
5. The deadline for the timely sending of a complaint is 14 days from the date of publication of the marks. For an oral exam this is the day you did the exam, and for a written exam it is the day that the marks are published on Fronter. As a general rule, your complaint will be rejected if you exceed the deadlines and therefore you must always be aware of the deadlines.
6. The complaint must be submitted electronically via the complaint form on Business Academy Aarhus' website, www.baaa.dk.