



Complaints and Appeals procedure

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Introduction

Institutions are encouraged to offer feedback on the quality of the services provided by MusiQuE in several phases of an ongoing procedure – i.e. through surveys after the completion of the site visit, and upon the receipt of the final review report. Further, peer reviewers appointed to conduct external assessments on behalf of MusiQuE are trained to be mindful, to accommodate an open dialogue throughout the procedure, and to request real time feedback during the site visit. Such feedback helps MusiQuE to apply principles of continuous quality enhancement to its own activities, and to take action in real time in case issues arise during a review procedure.

In addition, in all MusiQuE review procedures **institutions are enabled to correct any factual inaccuracies in the review report before its final endorsement by the MusiQuE Board**. With large quantities of data to absorb, and without an intimate and long-standing familiarity with the institution under review, there is always the possibility that occasional errors occur in review reports. Normally, these will not be so significant as to materially affect the outcome of the report, but it is still important, in terms of accuracy, that they be corrected. To this end, institutions are provided with the draft review report and are invited to submit a written feedback indicating all factual inaccuracies and providing evidence for the correction. On the basis of such feedback, the Review Team will adjust and finalise the report which is then submitted to the MusiQuE Board for a final endorsement. The review report, once confirmed by the MusiQuE Board is formally delivered to the institution. This process is described in greater detail in [MusiQuE Guidelines for Institutions](#) (p. 47, *Section 6.1.3 From draft to final report: approval and decision-making process*).

All these considered, the provision of appropriate opportunities to contest the outcome of a review is an important feature of any quality assurance procedure. Therefore, MusiQuE has procedures in place for dealing with complaints and appeals relating to all services it provides. Please see the following definitions are to be considered for this purpose:

- **Complaints:**

An institution may submit a complaint when it considers that the service provided by MusiQuE has not been delivered in line with the MusiQuE Guidelines applicable for the procedure, and/or with the MusiQuE Code of Conduct for Peer Reviewers. A complaint may therefore concern a perceived procedural failure, or may relate to the conduct of one or more peer reviewers involved in the process.

Challenges regarding the outcome of a review, outside those mentioned above, are handled through the appeals process.



- **Appeals:**

Appeals may be submitted when it is considered that the statements in the review report constitute a flagrant misjudgement and all other means of obtaining what is considered a just outcome have been exhausted. The correction of factual errors is handled during the review procedure, before the report is deemed final, or can otherwise constitute the object of a complaint process (see above). The appeal represents an action of last resort for addressing the quality judgements expressed in the review report. As such, an appeal should be undertaken only in the following circumstances: 1) failure to explore relevant facts, 2) disregard for, or misinterpretation of the evidence provided, 3) or quality judgements contrary to the weight of evidence provided.

- **Complaints and Appeals Committee:**

The Complaints and Appeals Committee is composed of three voting members nominated by the MusiQuE Office and appointed by the MusiQuE Board for a fixed term of three years, renewable once. The members of the Complaints and Appeals Committee should be experienced in quality assurance processes, possess specialist knowledge pertaining to higher music and related arts education, and, for the period of their appointment, may not participate in MusiQuE reviews. To be appointed to the Complaints and Appeals Committee one should not have been involved in any of MusiQuE's decision making or executive bodies for a period of five years. Former Committee members may not act as MusiQuE peer reviewers until one year after their mandate came to term, provided that they fulfil all requirements in this regard. Should a conflict of interest arise between the complainant and any member of the Committee during the period of their office, the member in question will withdraw from the complaint or appeal process. In the unlikely event that two of the three members of the Complaints and Appeals Committee declare a conflict of interest in relation to a specific complaint or appeal, a temporary replacement of at least one of the two recused members will be specially appointed by the Director of the MusiQuE Office.

1 Complaints

A complaint can be filed at any stage of the review procedure, but no later than 21 calendar days since the date of the notification of result communicated by the MusiQuE Board, or the formal receipt of the outcomes of a specific consultancy service. An institution may file a complaint where it can provide relevant evidence that grounds for such a complaint (as defined in the section above) exist.

1.1 How to file a complaint

Complaints should be submitted in writing at the latest within 21 calendar days of the date of the notification of result communicated by the MusiQuE Board. Any documents provided as evidence should be attached in plain text or PDF format. The relevant documentation should be sent electronically (at office@musique-qe.eu) and the date of the electronic mailing will be taken as definitive in determining whether the 21-day deadline has been met or exceeded.

Prior to the deadline, the institution should contact the MusiQuE Office as soon as possible indicating its intention to file a complaint.

The formal complaint should comprise the following elements:

- a) it will refer to the specific provisions in the applicable framework (MusiQuE guidelines, regulations, code of conduct),
- b) it will explain, clearly evidenced, the manner and extent of the deviation from the specific framework of reference (MusiQuE guidelines, regulations or code of conduct), and
- c) it will include a proposal with the possible ways in which the perceived failings may be corrected.

MusiQuE will only consider complaints that include these elements, supported by appropriate evidence, references, examples, etc.

Upon receipt of a formal complaint, the MusiQuE Office will notify the MusiQuE Board and the Complaints and Appeals Committee.

1.2 Consideration of complaints

All complaints will be considered by the MusiQuE Board, except for the cases in which the object of the complaint is the MusiQuE Board itself or any of its individual members, discussed under section 1.3 below.

The MusiQuE Board reserves the right to reject complaints that are missing one or more of the elements described above, or that are unsubstantiated by relevant evidence. Once a complaint is accepted, the Board will investigate the complaint,



making sure to hear all parties involved in a timely manner, and will decide if and what action to take, as appropriate and in line with MusiQuE's procedures and regulations. In doing so, the MusiQuE Board may consult with the members of the Complaints and Appeals Committee before issuing a final decision. The MusiQuE Board will inform the complainant of the outcome of the complaint, and of the actions taken after the complaint has been considered.

The MusiQuE Board shall notify the Complaints and Appeals Committee on the outcome of the complaint once it has reached a final decision.

Under the exceptional circumstances that the complainant is not satisfied with the outcome of a complaint, as communicated by the MusiQuE Board, they can formulate a response within ten calendar days of the receipt of the Board's decision. In such cases, the MusiQuE Board will then refer the case to the Complaints and Appeals Committee whose decision on the matter will be final and irrevocable.

1.3 Consideration of complaints that are related to the MusiQuE Board

In exceptional circumstances, the MusiQuE Board may decide to fully delegate the decision-making role to the Complaints and Appeals Committee – i.e. when possible conflicts of interest between individual members of the Board and the institution filing the complaint might interfere.

Similarly, should a complaint relate directly to the MusiQuE Board, or any of its individual members, the matter will be referred directly to the Complaints and Appeals Committee.

The Complaints and Appeals Committee shall investigate the matters raised, hear all parties involved, and issue a final decision on the outcome of the complaint that shall be communicated to the MusiQuE Office and to the MusiQuE Board. As well as undertaking any action that may be called for, the Board will then communicate to the complainant the final outcome of the complaint.

1.4 Communication of the outcome of the complaint

All complaints shall be resolved, and a final decision shall be communicated to the complainant, within sixty calendar days of the receipt of the complaint. In exceptional circumstances, this period may be extended up to a maximum of ninety calendar days, case in which all parties shall be informed of the extension and its reasons before the expiry of the initial deadline.



2 Appeals

The provision of appropriate opportunities for appeal is an important feature of any quality assurance procedure. The following sections describe the more exceptional paths of action open to an institution that considers it has genuine cause to contest the judgement delivered through the review report.

2.1 Grounds for an appeal procedure

The review report, once endorsed by the MusiQuE Board and formally delivered to the institution, contains a concrete quality judgement in terms of each of the standards of the relevant MusiQuE procedure and the extent to which they are being met. An institution should only elect to appeal where it believes that it has unjustly received the outcome: “Accredited with conditions” or “Not accredited” in the case of accreditation procedures, or a judgement of “non-compliant” or “partially compliant” in the case of quality enhancement procedures.

It is towards these judgements on standards, and any conditions arising from them, that the appeal should be directed. The appeal should be constructed on the basis of solid evidence, and should identify the specific sections in the final report where the institution believes the Review Team to have been in error in forming its judgement. Appeals made without substantiating evidence will not be accepted. The evidence provided can relate only to the state of the institution prior to and during the site visit of the Review Team, and not to further developments implemented after having received any initial feedback from the panel. The appeal must be sent to the MusiQuE Office by the institution as described in Section 2.2 below.

2.2 How to appeal

Appeals should be submitted in writing within six weeks of the date of the formal notification of result communicated by the MusiQuE Board. The appeals documentation should be sent electronically (at office@musique-qe.eu), and the date of the electronic mailing will be taken as definitive in determining whether the submission deadline has been met or exceeded.

Prior to the deadline, the institution should contact the MusiQuE Office as soon as possible indicating its intention to appeal.

The appeal should consist of the following:

- A covering letter, signed by the Head of the Institution confirming the appeal and outlining briefly its nature
- A detailed argumentation dealing with each standard where a decision is being contested and/or each condition that is being appealed against.



In each case, the reason(s) for the appeal should be set out and evidence supporting the appeal should either be provided within the text or, where it is to be found in separate documentation (see below) the reference for this should be given

- Supporting documentation.

The appeal must be submitted to the MusiQuE registered Office. Both the electronic and the hard copy versions of the appeal will be acknowledged on receipt. In both cases, the acknowledgement will be by email.

The MusiQuE Office will forward the appeal to the Complaints and Appeals Committee and notify the MusiQuE Board that the appeal has been received and accepted.

2.3 Consideration of appeals

Upon receipt, the MusiQuE Office will share the appeal and related documentation with the members of the MusiQuE Board and the members of the Complaints and Appeals Committee, and will notify the members of the Review Team who conducted the evaluation under appeal. The Committee members will meet as soon as possible upon receipt of the relevant documentation, and carefully consider the appeal documents. In first instance, the MusiQuE Board will be invited to analyse the documentation submitted and review its initial decision, in the way considered fit for purpose, on the endorsement of the compliance quality judgements included in the review report making the object of the appeal. The MusiQuE Board will share its decision with the Complaints and Appeals Committee in a timely manner, and based on this decision the Complaints and Appeals Committee will formulate a final outcome that shall be communicated to the complainant.

Should the MusiQuE Board decide not to uphold the appeal, the matter shall be investigated further by the Complaints and Appeals Committee.

The decision of the Appeals Committee will be final, and irrevocable, and shall be communicated in writing to the MusiQuE Board within 60 calendar days since the date of receipt of the appeal in the MusiQuE Office.

The review report that is the object of the appeal procedure shall be temporarily removed from MusiQuE's website until the outcome of the appeal is officially communicated to the institution.

2.4 Outcome of the appeal

The final outcome of the Complaints and Appeals Committee will take one of three forms:

- The appeal is rejected
- The appeal is partly upheld
- The appeal is fully upheld (“*sur dossier*” and not in a visit).

In each case, the outcome of the Appeals Committee is considered valid and complete only if accompanied by a written justification. When the appeal is partly upheld or fully upheld, in addition to the outcome and its written justification, the Complaints and Appeals Committee will provide a list of recommendations that will be followed by the MusiQuE Board (e.g. altering a particular judgement in the report).

The MusiQuE Board will take the necessary actions to implement the outcome of the appeal and the recommendations of the Complaints and Appeals Committee in the most efficient way. Where this calls for an alteration in the judgement delivered by the Review Team, it will confirm this alteration.

The result of the appeal will be communicated by the MusiQuE Board to the institution. The final review report published on the MusiQuE website will reflect the outcome of the appeal and will not record that this result was reached following an appeals process.

Where an appeal is partly upheld, the Complaints and Appeals Committee may either decide that the strength of the institution’s case is sufficient to alter the overall result or that, notwithstanding the points made, the overall quality judgement delivered in the review report is still appropriate. In practice, this decision will focus on two questions:

- Does the partial upholding of the appeal mean that the Review Team’s decision regarding the level of compliance for a particular standard be revised?
- If so, should an overall condition arising from the original verdict be mitigated to a recommendation, or removed altogether?



2.5 Communication of the Complaints and Appeals Committee's decision to the Board and the institution

The Complaints and Appeals Committee should submit its outcome and motivated decision to the MusiQuE Board within 60 calendar days from the receipt of the appeal, and of the full set of related documentation. Initially, this will be sent by email to the MusiQuE Office who will forward it immediately to individual Board members. The Board will meet to receive the outcome of the Complaints and Appeals Committee and to consider any recommendations made by the Committee. The outcome of the Committee and the outcome of its consideration by the MusiQuE Board will be communicated to the institution as soon as possible after the meeting of the Board, but no later than 90 days from the date that the appeal was initially submitted to the MusiQuE Office.



Summary of procedural deadlines

Procedure	Step	Deadline	Responsible entity
COMPLAINTS	Submission of complaint and related documentation to the MusiQuE Office	Any stage of the review procedure, but no later than 21 calendar days after the date of the notification of result communicated by the MusiQuE Board, or the formal receipt of the outcomes of a specific consultancy service	Complainant
	Decision on the outcome of the complaint	60 calendar days after the submission of the complaint to the MusiQuE Office	MusiQuE Board
COMPLAINTS – EXCEPTIONAL CASES	1. Response to the decision on the outcome of the complaint by the MusiQuE Board	10 calendar days after the outcome of the complaint is received by the complainant	Complainant
	Final decision on the outcome of the complaint	Maximum 90 days after the submission of the complaint to the MusiQuE Office	Complaints and Appeals Committee
	2. Decision on the outcome of the complaint when the complaint is filed against the MusiQuE Board or when MusiQuE Board members declare conflict of interest towards the complainant	Maximum 90 days after the submission of the complaint to the MusiQuE Office	Complaints and Appeals Committee



APPEALS	Submission of appeal and related documentation to the MusiQuE Office	Within six weeks of the date of the formal notification of result communicated by the MusiQuE Board.	Complainant
	The decision of the Appeals Committee is communicated to the MusiQuE Board	60 calendar days after the date that the appeal was submitted to the MusiQuE Office.	The Complaints and Appeals Committee
	The outcome of the Committee and the outcome of its consideration by the MusiQuE Board are communicated to the institution.	As soon as possible after the decision of the Complaints and Appeals Committee was communicated to the MusiQuE Board, but no later than 90 days from the date that the appeal was initially submitted to the MusiQuE Office.	MusiQuE Board

