



HIGHER EDUCATION STUDENT COMPLAINTS AND RESOLUTION POLICY AND PROCEDURE

Originator: Academic Registrar
Date: February 2022 effective from 1st August 2022
Approved by: SMT
Type: Policy

Previous version: March 2017

CONTENTS

1. Introduction	3
2. Procedures	4
3. Completion of Procedure	7
4. Reports and Documentation	8

1. Introduction

1.1 We make every effort to ensure that students have the best experience while studying with us. We recognise that there are times when students may have a specific concern about the provision of a course of study or a related academic service, this policy and procedure outlines how to raise those concerns.

1.2 Definitions

1.2.1 Complaint

A complaint is an expression of dissatisfaction by one or more students about the University's action, or lack of action or about the standard of service provided by or on behalf of the University. A complaint cannot be made against academic judgement.

If a student wishes to appeal against a decision of an academic body charged with decisions on student progression, assessment and standards, including against an academic judgement once marks have been awarded at a Final Examination and Progression Board, they should refer to the University's Academic Regulations and Appeals Procedure and not this policy.

1.2.1.1 What issues constitute grounds for complaint under this policy?

Examples of matters which might be raised through this policy are:

- Failure of the University to meet obligations including those outlined in course/student handbooks;
- Misleading or incorrect information in prospectuses or other information provided by the University;
- Concerns about the delivery of a course, teaching or administration;
- Poor quality of facilities, learning resources or services provided directly by the University.

1.2.1.2 Examples of matters which are excluded from this policy are:

- Complaints regarding the admissions processes and decisions. These are subject to a separate admissions complaints procedure;
- Complaints against other students. These should be progressed through the Student Disciplinary Policy and Procedures. Similarly, complaints against members of staff will, if appropriate, be progressed through the Staff Disciplinary Policy and Procedure. Concerns of this nature should be discussed with your Course Leader or if the complaint is against the Course Leader then a Director of Undergraduate Studies/Head of Postgraduate;
- Complaints relating to the Students' Union;
- Grievances relating to harassment, sexual misconduct, bullying or victimisation which are progressed through the Harassment, Sexual Misconduct and Bullying Policy;
- Complaints about businesses operating on University premises but not owned by the University.

1.2.2 Student(s)

This complaints policy can only be used by registered students and graduates or former students provided that the complaint is raised within 3 months of completing their studies or withdrawing.

The University does not investigate complaints raised by a third party or a parent on behalf of a student. Occasionally a student who may be medically incapacitated may request that their nominee act on their behalf with the University. This will only be permitted in exceptional circumstances at the discretion of the Vice-Chancellor.

- 1.3 A group of students may use this policy to make a collective complaint provided that one student is identified as the main contact for the purposes of processing the complaint. Anyone wishing to make a complaint is encouraged to do so personally.

1.4 Principles of this Policy

1.4.1 Complaints are treated seriously and students will not suffer any disadvantage or recrimination as a result of making a complaint in good faith.

1.4.2 It is expected that students will conduct themselves responsibly and treat the complaints process and those involved in the process with respect at all times.

1.5 Recording and Monitoring of Complaints

1.5.1 It is important that complaints are monitored in order to improve the student experience. Academic Registry will record and provide reports on the nature of complaints to the Academic Board.

1.5.2 The complaints policy and procedure aims to help to resolve such concerns in a manner which is as fair and expeditious as possible.

2. Procedures

- 2.1 The University has a number of ways that concerns of a general nature can be raised, these include: through Student Representatives, meetings with the Vice-Chancellor, Pro-Vice-Chancellor Education, meetings with the UG Directors, and Head of Postgraduate, course teams or service area etc. via the Students' Union or in course meetings.

2.2 Specific complaints

The procedure consists of up to three stages:

2.2.1 Stage 1 Early Resolution

If a student has a complaint, the matter should be raised initially with the student's tutor, Course Leader, Director of Undergraduate Studies, Head of Postgraduate Studies, a Head of Service Area, or Student Welfare (making it clear you are using this procedure). This is the quickest and easiest way to resolve any issues. Staff will discuss the nature of your complaint and what you would like to see as an outcome and will seek to resolve the complaint themselves or liaise with other members of staff to identify if it is possible to resolve your complaint.

Every effort will be made to resolve the matter at this stage and all parties should seek to find a mutually satisfactory resolution. In order that the University can deal with matters promptly complaints should be raised in a timely manner and in any event within three months of the incident causing concern. Complaints raised more than 3 months after the incident occurred are deemed out of time and will not be considered.

The University aims to respond to complaints within 21 calendar days, but recognises there may be occasions when it is not feasible and a longer period of time may be required. In these cases students will be kept informed of the timescale for the complaint.

A record of the outcome from the Early Resolution process will be held in the student's file.

2.2.2 Stage 2 -Formal Stage

At the formal stage the complaint must be put in writing. Receipt of a complaint which has not been through Stage 1 of the process will normally be referred back to the relevant course team/service area for consideration. The complaint will be considered for the formal stage only when the possibility of Early Resolution has been exhausted.

Where a complaint has not been resolved through Stage 1 - Early Resolution, a student should put their complaint in writing.

The formal stage is only started when:

- i) Early Resolution took place but the student remains dissatisfied and starts the formal stage;
- ii) the Academic Registrar considers that the issues raised are complex and will require detailed investigation;
- iii) the student declines to engage with the Early Resolution and initiates the formal process. This option is only available in exceptional circumstances and with the express agreement of the Academic Registrar.

A student wanting to file a complaint formally in Stage 2 should complete the [Complaint Form](#).

The complaint must be submitted to the Deputy Academic Registrar (Quality & Standards) in Academic Registry within 21 calendar days of the outcome or failure of the Early Resolution or within 21 calendar days of the act or omission complained of. The Deputy Academic Registrar (Quality & Standards) will acknowledge receipt of the complaint and inform the student how the matter will be taken forward, within 14 calendar days of receipt in one of the following ways:

1. the complaint may be referred to the relevant course or service area if Early Resolution has not previously been attempted; only on confirmation that Early Resolution is not appropriate or if the Academic Registrar has agreed will the complaint be considered directly for referral to Stage 2;
2. the complaint may be returned to the student for further clarification;
3. should the student's expectations appear to go beyond what the University can reasonably provide, the student will be advised of this and of possible outcomes in writing as soon as possible;
4. the student may be referred to a different policy or procedure, e.g. the appeals policy;
5. the complaint may be rejected, e.g. if received late without reason;
6. the complaint may be accepted for consideration at Stage 2.

If the complaint is accepted for consideration at Stage 2, the Deputy Academic Registrar (Quality & Standards) will either request a response from the relevant course/service area or appoint an investigator (the Investigating Officer) who is an independent member of staff.

The Investigating Officer shall normally offer the student the opportunity to attend a meeting on campus and if this isn't possible this will be arranged virtually through Teams. If the complaint is about an individual, the Investigating Officer may also involve the person against whom a complaint has been made in that meeting or conversation (although that person may decline to participate), or hold a separate meeting or conversation with the person against whom a complaint has been made (in which case the person is expected to make themselves available). If such meetings are held, the student and the person against whom a complaint has been made shall both be entitled to be accompanied by a friend or colleague or other member of the University (not involved in the complaint), or Students' Union.

If during the course of the investigation the Investigating Officer considers it appropriate, the matter may be referred for consideration under the Student or Staff Disciplinary Policy and Procedure as appropriate, including if the complaint is thought to be malicious or vexatious. In such a case, the complaint procedure is suspended until the outcome of the disciplinary investigation and proceedings, since these may affect the outcome and/or remedy of the complaint. The student will be notified of this in writing.

At the conclusion of the complaint investigation, the Investigating Officer will produce a report based on the investigation which outlines the process followed, information gathered, the conclusions drawn and any recommendations. The report is referred back to the Deputy Academic Registrar (Quality and Standards) for a decision on how to resolve the issue.

The outcome of the formal stage will be communicated to the student in writing, outlining the reason(s) for the decision and if a complaint is upheld how and when any remedy will be implemented. The letter will also give information about:

- the student's right to take the complaint to the review stage;
- the grounds on which the student can do this;
- the time limit for escalating to the review stage;
- the appropriate procedure and;
- where and how to access support.

The timescale for the outcome will depend on the complexity of the matter in question. A student can normally expect to receive the outcome within 30 calendar days of submitting the complaint. If this is exceeded, the Investigating Officer should notify the Deputy Academic Registrar (Quality & Standards) of the reasons for the delay, and identify an expected completion date. The Deputy Academic Registrar (Quality & Standards) will communicate these to the student.

2.2.3 Stage 3 - Review Stage

If a student is dissatisfied with the outcome of the formal stage, they can request a review. The review stage is not a re-hearing of the original complaint, and will not automatically be given. The review stage will not normally involve a further investigation or consider the issues afresh. If they have not done so before, students seeking consideration at the review stage are advised to contact the Students' Union for independent advice and support.

A student wishing to request a review of a decision must do so within 14 calendar days of the decision at Stage 2 by informing the Academic Registrar in writing stating the grounds for the review.

Reviews may be sought on the following grounds only:

- (i) that there has been a material procedural irregularity which has demonstrably affected the outcome of the Stage 2 complaint;
- (ii) that the outcome at Stage 2 is not proportionate given the facts of the case;
- (iii) new material evidence which the student was unable, for valid reasons, to provide when the Stage 2 complaint was made and which would have significantly affected the outcome of the Stage 2 complaint.

The Academic Registrar or nominee will consider the request for review. If it does not meet the criteria outlined above, it will be rejected and the student will be issued with a completion of procedures letter. This concludes the process within the University.

Where the request for review is deemed valid, the Academic Registrar will arrange for the matter to be considered by a Reviewer, who will be a member of staff of appropriate seniority not involved in the complaint at any stage. They will review how the complaint has been dealt with and whether this was fair and reasonable. No new complaint or new element of the complaint may be introduced at this stage.

The method for the review is at the discretion of the Reviewer.

The review will consider documentation already submitted and the outcome of the formal procedure.

At the conclusion of the review procedure, the Reviewer will detail their decision in writing, setting out the scope of the review and the reasons for the decision reached. The timescale for this will depend on the complexity of the matter in question. A student can normally expect to receive an outcome within 21 calendar days of notification of the review procedure. If this is exceeded, the Reviewer should notify the Academic Registrar of the reasons for the delay, and identify an expected completion date. The Academic Registrar will communicate these to the student.

If the review is upheld in part or whole the Reviewer will identify a course of action, with advice from the Academic Registrar.

The Reviewer will agree the written outcome with the Academic Registrar. The Academic Registrar will send this to the student. This concludes the process within the University.

3. Completion of Procedure

3.1 Completion of Procedures letter

This letter concludes the University's formal complaints procedures and provides the student with formal confirmation that the student has completed all available stages of the internal complaints procedures. It is issued at the end of Stage 3.

- 3.2 Students who have exhausted the University's internal procedures for complaints may take their complaint to the Office of Independent Adjudicator for Higher Education (OIA) provided that the complaint is eligible under its Rules. Should a student decide to make a complaint to the OIA, the OIA Complaint Form must be received by the OIA within 12 months of the date of the Completion of Procedures letter.
- 3.3 Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>. Students may also wish to seek advice from the Students' Union about taking a complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the University's internal procedures.

4. Reports and Documentation

- 4.1 A summary of complaints is reported to the Academic Board by Academic Registry for monitoring purposes.
- 4.2 All information which a complainant, or anyone else, provides to staff dealing with the matter in the course of an investigation of a complaint shall be treated as confidential, subject to the need to divulge information to investigate a case and any requirements of the Data Protection legislation. It is equally important that the complainant also respects the need for confidentiality throughout the complaints process. Where confidentiality is breached the University's Disciplinary procedures may be invoked.
- 4.3 Relevant members of staff involved in the complaint will be informed of the outcome. Senior members of staff may also receive a copy of the outcome in order for the University to consider issues identified from complaints.