

Student Complaints Procedure

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1 August 2019.	2017 version.	General update.

Document Owner	Approved By	Date Approved	Review Frequency
Governance and Compliance Office.	Senate Regulations and Special Cases Committee.	26 June 2019.	Every three years.

Note: In exceptional circumstances, and subject to approval by the Chair of the Senate Regulations and Special Cases Committee, responsibilities assigned to Schools, Heads, of School, School Officers or School Committees in these Regulations may be assumed by the College, Head of College, College Officers or College Committees respectively, as appropriate.

Student Complaints Procedure



Introduction

1. This Procedure is for all students or former students who want to complain about their academic programme (course) or any other services offered by the University. The word 'student' is used in this procedure for current (enrolled) and former students. Where the issues raised affect a number of students, those students can submit a complaint as a group complaint.
2. The underlying principles include:
 - The right of students to:
 - Complain about a programme or about any other services offered by the University.
 - Have a clearly documented process for dealing with a complaint.
 - Privacy and confidentiality when dealing with a complaint. Students may indicate that they wish the Complaint / Appeal or elements within it (for example, a statement from a witness or medical evidence) to remain confidential. However, it may be necessary to ask staff involved with the student to comment on or respond to the statements made.
 - Receive reasons for any decisions about a complaint.
 - Be informed of the opportunity for further appeal.
 - A complaints procedure that is non-discriminatory and unbiased.
 - A procedure that recognises the interests of students, staff and the University while ensuring fairness to all parties.
 - Communicating the outcomes at each stage of a complaint to the student and to relevant sections of the University.
 - Students, their representatives and staff members acting reasonably and fairly towards each other, and treating the processes themselves with respect. Complainants should note that the University has a responsibility to protect its staff against unacceptable behaviour.
3. For the purpose of this Procedure, a complaint is defined as 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. The types of complaint that can be made using the Procedure include:
 - Inaccurate information about an academic programme or other service.
 - Poor teaching or supervision.
 - Insufficient facilities.
 - The failing of a University service whether academic or non-academic.
4. The Student Complaints Procedure should not be used:
 - To complain about the conduct or behaviour of another student. (These complaints should be referred to the Head of Governance and Compliance under the University's student disciplinary regulation (Regulation 21)).

- To complain about the conduct of a member of staff which is unrelated to the student's academic work or experience. (These complaints must be referred to the Head of Governance and Compliance in the first instance to decide whether to refer the complaint to Human Resources).
 - To appeal against the results of an academic assessment, against a decision taken on academic progress, or regarding a final award. (The Academic Appeals Procedure should be used).
5. The aim of this Procedure is to resolve complaints informally. Concerns can often be resolved informally if they are raised in a timely and reasonable manner. There may be circumstances where a complaint may be referred immediately to the formal stage. Such circumstances include:
 - Where complaint relates to more than one section of the University.
 - Where it is clear, based on the complaint and available evidence, that informal resolution is unlikely.
 6. Complaints by students and former students must be submitted within 12 months of the incident(s) that led to the complaint. The Head of Governance and Compliance will consider whether complaints received after this deadline can be considered and will take into account any reasons given for the late submission of the complaint.
 7. This Procedure includes time limits for responses to a complaint. If there is a delay, students must be kept informed in writing and must be given an estimated timescale for considering the complaint.
 8. Students can contact the Students' Union for confidential advice and/or representation.
 9. Students can be accompanied and/or represented in any meeting or correspondence about a complaint. This includes, the Students' Union, Personal Tutor, support worker, a family member or a friend. If the person accompanying a student at a meeting is a legal representative, the student must inform the Head of Governance and Compliance in writing within 5 working days of receiving notification of the date of a meeting. Student attendance by video conferencing is permitted, but the strength of the connection must be tested beforehand and a land line connection should be available as a back-up.
 10. In this Procedure, the Head of Governance and Compliance, the Head of School/Service and the Pro Vice-Chancellor (Teaching & Learning) can delegate their responsibilities to a nominee.
 11. In this procedure, the term 'witness' is used for individuals who are invited to attend a Committee of Enquiry. Because the Committee's role is to investigate a complaint, its deliberations are not adversarial and therefore witnesses are not considered to be for or against the student. The role of witnesses is to provide the Committee with factual information that will inform the Committee's decision. Any person invited to attend as a 'witness' can be accompanied and has the right to respond to the complaint, in writing and at a Committee of Enquiry.
 12. At any stage in this Procedure, staff involved with a complaint may determine that it is appropriate to attempt to address the concerns by way of mediation. Such mediation can only be pursued with the agreement of all parties to the complaint. The process of mediation represents a "stepping-aside" from the Procedure in an

attempt to reach an acceptable resolution. The Procedure will be suspended for the duration of the mediation. A successful mediation will result in an agreed way forward being established between all parties and a record of the agreement reached will be retained. If mediation is not successful, the Procedure must resume from where it was 'suspended'.

Informal resolution processes

13. Concerns should be discussed in the first instance with a member of staff who is associated with delivering the service (e.g. programme, module or other service). Alternatively, the concerns can be discussed with the Personal Tutor or Senior Tutor. General concerns can be raised through the School Staff-Student Committee. The concerns should be reported in writing as soon as possible. It is expected that the person receiving the complaint will respond within 10 working days.
14. If the student is not satisfied with the response after reporting concerns (See Paragraph 13), then the student should report the concerns in writing to the Head of School/Service. Students should describe the outcome that they would like to see. It is expected that the Head of School/Service will provide a response to the complaint within 20 working days.
15. If a student is not satisfied with the response from the Head of School/Service (see Paragraph 14), the formal procedure should be followed (See Paragraph 16).

Formal Complaints Procedure

Consideration by Pro Vice-Chancellor

16. Formal complaints must be sent in writing to the Head of Governance and Compliance. Formal complaints must include:
 - Full details of the complaint.
 - A list of the steps taken to try to resolve the complaint informally, with details of who was contacted and their response(s).
 - A statement of why the student is still dissatisfied.
 - A clear statement of the desired outcome.
 - The student's full name and University ID number.
17. The Head of Governance and Compliance will acknowledge the complaint within 5 working days.
18. If insufficient details have been provided, or if there is insufficient evidence to show that an attempt has been made to resolve matters informally, the Head of Governance and Compliance can contact the student and school/service to explore ways to address the issues raised in the complaint.
19. Formal complaints will be sent to the Pro Vice-Chancellor (Teaching & Learning). The Pro Vice-Chancellor (Teaching & Learning) will investigate the complaint and the investigation can include interviews with the student and University staff. The Pro Vice-Chancellor can choose one or more of the following options:
 - i. Decide that no action should be taken in response to the complaint.
 - ii. Refer the complaint for consideration under another University Procedure
 - iii. Offer possible solutions for consideration by the student who has complained.

- iv. Refer the complaint to a Committee of Enquiry (this option will be chosen if a complaint is particularly complex or other features of the complaint require discussion and a decision by a Committee of Enquiry).
20. If the solutions offered under 19iii are rejected, the Pro Vice-Chancellor (Teaching & Learning) will reconsider the complaint and choose one of the options in paragraph 19, which may include alternative solutions under 19iii.
21. The Pro Vice-Chancellor's decision will be sent to the student by the Head of Governance and Compliance.
22. Students can appeal against the decision of the Pro Vice-Chancellor by writing to the Head of Governance and Compliance. The student must explain the reasons for the appeal. The Head of Governance and Compliance will acknowledge receipt of the appeal within 5 working days. The complaint will be sent to the Vice-Chancellor. The Vice-Chancellor can investigate the complaint and the Vice-Chancellor's decision will be final. When the Vice-Chancellor's enquiries have been completed, a Completion of Procedures letter will be issued to the student as required by the Office of the Independent Adjudicator (Paragraph 32).

Consideration by a Committee of Enquiry

23. If the Pro Vice-Chancellor (Teaching & Learning) refers a complaint to a Committee of Enquiry, the Head of Governance and Compliance will arrange a meeting of the Committee. The Committee of Enquiry must be convened and must not consider the case based only on electronic communication. The members of a Committee of Enquiry must be:
 - Chair: A Pro Vice-Chancellor (but not the Pro Vice-Chancellor who investigated the complaint as described in paragraph 19) or Dean of College (but not the Dean of the College where the student is studying)
 - 2 members of Senate (from a different School to that in which the student is studying)
 - The President of the Students' Union (or nominee)
24. Secretary: The Head of Governance and Compliance Members of the Committee of Enquiry must not have any links with the complainant or the complaint, must not have a material interest in any matters relating to the complaint, and must declare conflicts of interest.
25. The Head of Governance and Compliance will inform the student about the composition of the Committee of Enquiry and will arrange the Committee at a time that is convenient for the student and the Committee members. The student must inform the Head of Governance and Compliance within 7 working days of receiving the list of Committee members if there are any objections to the membership of the Committee.
26. The aim is to resolve most complaints which involve a Committee of Enquiry within 2 months of the Pro Vice-Chancellor (Teaching & Learning)'s decision to refer a complaint to a Committee. Students will be informed if there is a delay in the process.
27. The Head of Governance and Compliance, in response to instructions from the Chair, will arrange for witnesses to attend the Committee of Enquiry. It is good practice for the school/service, against which a complaint has been made, to be

represented at the Committee hearing by the Head of School/Service. This ensures that witnesses are supported and ensures that the School/Service is fully aware, at the highest level, of the issues raised by the Committee.

28. The student can ask for a meeting of the Committee of Enquiry to be postponed if there are mitigating circumstances. Students must ask for a postponement at least 3 working days before the date of the Committee. A Committee meeting will only be postponed if the student provides evidence of mitigating circumstances. The Chair of the Committee must decide whether the mitigating circumstances justify postponing the Committee meeting.

The Committee will be held without the student if:

- i. The student, without explanation, does not attend the meeting.
- ii. The student has not contacted the Secretary at least 3 full working days before the date of the Committee meeting to ask for a postponement.
- iii. The Chair decides that the mitigating circumstances presented by the student don't justify a postponement.

29. The Committee of Enquiry will be conducted as follows, unless deemed otherwise for specific reasons and with the agreement of all participants.

In a closed session

- Committee members will review the main elements of the complaint.

In an open session with all participants

- The Chair will explain the remit of the Committee and the decisions it can reach.
- The student can summarise the main elements of the complaint.
- The witnesses can respond to the complaint.
- The Committee members can question the student and witnesses.
- The witnesses can present any additional comments and/or concluding remarks.
- The student can present any additional comments and/or concluding remarks.
- The Chair will tell the student that the Committee's decision will be sent in writing when approved by the Vice-Chancellor.

In a closed session

- The Committee will review the complaint and will approve one of the following actions:
 - (i) No further enquiries are required and the Committee's recommendations should be conveyed to the Vice-Chancellor in a report written by the Secretary and approved by the Chair.
 - (ii) No further enquiries are required and the Committee's recommendations should be conveyed to the Vice-Chancellor in a report written by the Secretary and approved by the Chair after a draft report has been considered by all Committee members.

(iii) Further enquiries are required and the Committee will be reconvened to consider the additional evidence.

30. When a Committee is reconvened (as described in paragraph 29), it will normally meet in closed session and will approve one of the following actions:

(i) No further enquiries are required and the Committee's recommendations must be conveyed to the Vice-Chancellor in a report written by the Secretary and approved by the Chair.

(ii) No further enquiries are required and the Committee's recommendations must be conveyed to the Vice-Chancellor in a report written by the Secretary and approved by the Chair after a draft report has been considered by all Committee members.

31. The student will be informed of the Vice-Chancellor's decision in writing by the Head of Governance and Compliance. A Completion of Procedures letter will be issued to the student as required by the Office of the Independent Adjudicator (Paragraph 32).

32. A student who remains dissatisfied after all internal procedures have been exhausted, and a Completion of Procedures letter has been issued, can complain to the Office of the Independent Adjudicator. Details of this procedure are available from the OIA website or from the Head of Governance and Compliance.