

Part O – Student Complaints

O.1 Principles of the Complaints Procedure

- O.1.1 This procedure applies to students on all programmes of study at the University.
- O.1.2 For the purpose of this procedure, the term 'student' includes those who have left the University within the 3 previous months for whatever reason.
- O.1.3 This procedure is to be used for:
 - O.1.3.i Concerns about the provision and delivery of academic programmes and related services.
 - O.1.3.ii Complaints about a student's experiences at the University, including engagement with academic, professional services and support staff.
- O.1.4 Complaints against the standard of tutoring etc. must be made before the results of Board of Examiners deliberations and cannot be used to lever an appeal against the decision of the Board.
- O.1.5 The formal procedure is underpinned by the following principles:
 - O.1.5.i Informal resolution should have been attempted prior to invoking the formal procedure.
 - O.1.5.ii Complaints will normally be made within 3 months of the event(s) being complained about.
 - O.1.5.iii Complaints will be considered as originally set out and no further issues can be added to the complaint once submitted.
 - O.1.5.iv At any stage, resolution is possible via mediation and mutual agreement.
 - O.1.5.v Complaints will not be investigated by anyone who has a personal interest in the outcome.
 - O.1.5.vi All parties will act in good faith.
 - O.1.5.vii The Complaints Process will be transparent and open wherever possible.
- O.1.6 Before making a complaint, either formally or informally, students are encouraged to seek advice from the University's Student Support Services, the Students' Union's Advice Centre, and/or their Personal Tutor.
- O.1.7 A third party may act as and represent the student, provided the student has given the Governance team written authority for that representative to act on their behalf.
 - O.1.7.i A student must inform the Governance Team, in writing, at least five working days in advance of any meetings or anticipated communication from a legal representative if they have engaged such representation.
 - O.1.7.ii The University's student contention processes are not legal processes, and it is therefore a student's decision as to whether they engage legal representation. Engagement of a legal representative alone is not considered reason enough to require the University to adjust its normal timescales or its meeting dates; the University considers it has a reasonable duty to avoid undue delay. The University will not reimburse students who opt to engage legal representation.

- O.1.7.iii Students, when represented, are still expected to attend any appeal hearings requested under these Regulations and to speak on their own behalf, unless, owing to necessary reasonable adjustment for reasons such as disability, this is agreed by the University in advance, in writing. The student is responsible for ensuring their representative is appropriately briefed on the matter at hand and these Regulations. Any representation made by a legal representative under these Regulations shall be taken to be the student's response or contribution to the process.
- O.1.7.iv Should a student opt for legal representation, they also retain the right to be supported at any meetings held under these Regulations, by a companion who fulfils the criteria of a companion as outlined in these Regulations.
- O.1.7.v The University reserves the right to engage its own representation in such matters.
- O.1.8 Where a complaint is submitted by a group of students, it is expected that a named individual will act as the group's lead and single point of contact who must communicate all decisions reached to the group.
- O.1.9 Students making a complaint have the right to be accompanied to meetings by a member of staff or student of the University or a staff member from the Students' Union Advice Centre. The companion is not allowed to contribute in the meeting unless they are acting as the student's representative.
- O.1.10 Anonymous complaints will only be admitted in exceptional circumstances. A complaint made anonymously will be referred to the Deputy University Secretary, who will consider:
 - O.1.10.i The gravity of the issues.
 - O.1.10.ii The credibility of the concern.
 - O.1.10.iii The likelihood of confirmation from attributable sources.
- O.1.11 Students studying on University awards at Partner Institutions should use the Partner Institution's own procedures but have the right to pursue their complaint with the University if they remain dissatisfied with the outcome of the Partner Institution's procedures.

O.2 Informal Resolution

- O.2.1 Informal resolution should be attempted before a complaint is escalated to the formal procedure, as most issues can usually be resolved informally at a local level and without the need for formal intervention.
- O.2.2 Informal complaints must be raised as soon as reasonably practicable and no more than one month after the event(s) being complained about.
- O.2.2 Students should raise their issue at the earliest opportunity, either directly with those concerned, or ideally with their Personal Tutor or Programme Leader. Students should seek advice from the Student Support Centre or the Students' Union Advice Centre if they are unsure of how to proceed.
- O.2.3 Only when such informal resolution has not been successful within a reasonable timescale should students escalate their complaint to the formal procedure.

O.3 Formal Procedure

- O.3.A Opening a Complaint

- O.3.A.1 Formal complaints should be raised as soon as reasonably practicable and no more than 3 months after the event(s) being complained about.
 - O.3.A.1.i Complaints submitted after 3 months will not normally be investigated unless the student can provide a compelling reason with appropriate documentary evidence.
 - O.3.A.1.ii A decision will be made by the Governance team about whether to allow the complaint into the procedure.
- O.3.A.2 Students are expected to have attempted the informal resolution stage before invoking the formal procedure.
- O.3.A.3 A student who wishes to raise a formal complaint must complete the online Student Complaint Proforma via OneUni and include evidence to substantiate their complaint.
- O.3.A.4 Issues and evidence that were not introduced at the first stage of the formal complaints procedure will not normally be accepted for consideration at a subsequent stage of the procedure.
- O.3.A.5 A member of the Governance team will be responsible for coordinating the procedure and will provide procedural advice to the student and staff involved.
- O.3.B **Head of School/Service Stage**
 - O.3.B.1 The Student Complaint Proforma will be assigned to the relevant Head of School/Service by a member of the Governance team for investigation.
 - O.3.B.2 Some complaints, either by their nature or their gravity, must be investigated by a member of staff other than the relevant Head of School/Service. Examples of these include:
 - O.3.B.2.i Complaints about or containing direct criticism of the Head of School/Service, or they have had any prior involvement in the informal resolution stage. In such a case, the Governance team will ask the Head of College or Service Director to nominate another Head of School/Service to undertake the investigation.
 - O.3.B.2.ii Complaints about the Senior Leadership Team. In such a case, an appropriate senior colleague will be asked to conduct the investigation.
 - O.3.B.3 The Head of School/Service may nominate a colleague to act on their behalf but will retain overall responsibility for the process and for the implementation of agreed remedial actions. Nominees must be senior members of staff without any connection to the case.
 - O.3.B.4 The Head of School/Service will, where appropriate, interview named individuals identified in the complaint, will carefully consider any documentary evidence, and seek to reach a fair resolution of the issues which have been raised.
 - O.3.B.5 The named individuals may be accompanied to interviews by a member of staff or a student of the University, or a staff member from the Students' Union Advice Centre (in the case of students), or a Trades Union representative (in the case of staff).
 - O.3.B.6 The Head of School/Service will normally conclude the investigation within 20 working days.
 - O.3.B.6.i Where a Head of School/Service is unable to conclude the investigation within 20 working days, they will contact the Governance team to request an extension of up to 10 working days.
 - O.3.B.6.ii A member of the Governance team will inform the student of the extension.

- O.3.B.7 The Head of School/Service will produce a report addressing all key aspects of the complaint and state whether the complaint is substantiated, in whole or in part.
- O.3.B.8 Where the complaint has been fully or partially upheld, the Head of School/Service will provide an apology and will set out the actions that have been recommended and/or have been put in place.
- O.3.B.9 Where a complaint investigation has been undertaken by a colleague independent to School/Service from which the complaint originates, it is the responsibility of the independent investigator to inform the School/Service of the outcome.
- O.3.B.10 On receipt of the completed report, a member of the Governance team will convey the outcome and any accompanying documentation to the student together with information regarding the next stages of the Student Complaints Procedure.
- O.3.B.11 Where a complaint has been upheld, it may be necessary for the Head of School/Service to consider disciplinary action under the University's Staff Disciplinary Policy. In this event, further consideration of the complaint will no longer remain within the scope of the Student Complaints Procedure and the student will be informed accordingly.
 - O.3.B.11.i The Head of School/Service will offer to meet the student to discuss what immediate steps may be taken, without prejudice to any action taken under, or to the outcomes of, the Staff Disciplinary Policy.

O.4 Review Stage

O.4.A Requesting a Review

- O.4.A.1 A student who believes the Head of School/Service's investigation has failed to address material elements of the complaint, or offer a fair resolution, may request a Review.
- O.4.A.2 A request for an independent review of a complaint must be submitted via OneUni within 10 working days of the student's receipt of the Complaint Outcome Report.
- O.4.A.3 Students may not introduce any evidence that was available to them but had not been previously submitted at the Head of School/Service stage.

O.4.B The Independent Reviewer

- O.4.B.1 The Vice Chancellor will appoint a senior member of staff from outside the student's School, or from a different service department, to act as the Independent Reviewer.
- O.4.B.2 The Independent Reviewer will form a view as to the validity of the student's assertion that the Head of School stage was defective in some material way within 10 working days.
- O.4.B.3 The Independent Reviewer may make appropriate enquiries as they deem necessary.
- O.4.B.4 If the Review concludes that the Head of School/Service's investigation was not defective and that the outcome was appropriate, a member of the Governance team will inform the student and issue a Completion of Procedures letter.
- O.4.B.5 If the Review concludes that the investigation was defective or that the outcome was not appropriate, whether in full or in part, the matter will be returned to the Head of School/Service as a Referral Back. At this point, the 10 working days timeframe for the Independent Reviewer will be paused.
- O.4.B.6 The Head of School/Service will respond within 10 working days of the Referral Back, and where further investigation is required, will update their original outcome report accordingly.

- O.4.B.7 On receipt of the Referral Back response, the remainder of the Independent Reviewer's 10 working days timeframe will resume. If the Independent Reviewer concludes that the student's assertions have now been adequately addressed by the Head of School/Service, a member of the Governance team will inform the student and provide them with a Completion of Procedures letter via OneUni. The Head of School/Service will also be notified via OneUni.
- O.4.B.8 If the Independent Reviewer concludes that there are still substantive areas of dispute, the matter will proceed to a Complaints Hearing.

O.5 Complaints Hearing

- O.5.1 The Complaints Hearing will normally take place within 20 working days of the student's receipt of the Review outcome.
- O.5.2 The Complaints Panel shall comprise: a Chair, who shall be a member of University staff, nominated by the Vice Chancellor, one senior member of the academic or professional services staff and a nominated Student Leader on behalf of the Students' Union.
- O.5.3 No member of the Complaints Panel shall be a member of the School/Service to which the complaint relates or have had any prior involvement or interest in the complaint.
- O.5.4 The Head of School/Service and the student will attend the hearing. The student may be accompanied by a member of staff, a student of the University or a staff member from the Students' Union Advice Centre.
- O.5.5 If, for valid reasons, the student is unable to attend a Complaints Hearing, the University will reconvene the meeting on one occasion. If the student is unable to attend the rescheduled meeting, the Complaints Hearing may take place in absentia.
- O.5.6 A member of the Governance team will provide attendees of the Complaints Hearing with the full documentation related to the case, including documentary evidence, no fewer than 3 working days before the Hearing.
- O.5.7 The Chair of the Complaints Panel will ensure that all parties are given fair and equal opportunities to present their case. The Complaints Panel shall reach its decision in private.
- O.5.8 The Complaints Panel will either uphold or not uphold the complaint and will make any such recommendations as it considers appropriate.
- O.5.9 The decision of the Complaint Panel will be communicated in writing, normally within 5 working days.
- O.5.10 Students who remain dissatisfied with the outcome will be issued with a Completion of Procedures letter and referred to the Office for the Independent Adjudicator for Higher Education.

O.6 Frivolous and Vexatious Complaints

- O.6.1 The University reserves the right to reject a complaint as frivolous or vexatious for reasons including (this list is not exhaustive):
 - O.6.1.i Complaints that are unnecessarily obsessive, persistent, harassing, prolific, and/or repetitious.
 - O.6.1.ii Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes.
 - O.6.1.iii Complaints that are designed to cause disruption.
- O.6.2 A member of the Governance team will write to the student with a full explanation as to why their case has been rejected.

- O.6.3 If a student wishes to challenge the Governance team's decision, they must submit this in writing to the Deputy University Secretary who will review the evidence and will decide whether the challenge is upheld.
- O.6.4 The decision of the Deputy University Secretary is final and, if the challenge is not upheld, a Completion of Procedures letter will be issued to the student, who may submit a complaint to the Office of the Independent Adjudicator for Higher Education.
- O.6.5 A frivolous or vexatious complaint may be dealt with under the Student Misconduct Procedure.

O.7 Office of the Independent Adjudicator for Higher Education

- O.7.1 A student dissatisfied with the outcome of the complaint has the right to submit an application to the Office of the Independent Adjudicator (OIA), an independent review body, for the outcome to be reviewed independently of the University.
- O.7.2 This right may normally only be exercised when the University's internal processes have been exhausted.
- O.7.3 The student must first obtain a Completion of Procedures letter from the Governance team. An OIA Scheme Application Form must be completed to make a submission to the OIA, and this must be made within 12 months of the date of the Completion of Procedures letter.
- O.7.4 Guidance on making an application to the OIA can be found on its website.
- O.7.5 Students may obtain assistance with OIA claims from the Student Support Centre and the Students' Union Advice Centre.