

# Student Complaints Procedure

Approved June 2012  
Amended August 2019



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University of Chester

## Student Complaints Procedure

Revised: - 5<sup>th</sup> April 2012

Student Services Committee – 25<sup>th</sup> April 2012

Revisions Approved by Senate – 20<sup>th</sup> June 2012

Published – 4<sup>th</sup> July 2012

Revisions to be implemented with effect from – 1<sup>st</sup> August 2012

Minor drafting revisions – 1<sup>st</sup> September 2013

21<sup>st</sup> August 2015

2<sup>nd</sup> August 2019

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# STUDENT COMPLAINTS PROCEDURE

## PART 1 - SUBSTANTIVE

### SCP I. Introduction

1. The University of Chester welcomes and encourages feedback and complaints as part of its commitment to ensuring that high standards and quality are maintained. The University believes that complaints provide useful feedback from students and assist in improving services and facilities. The University has therefore established this procedure to deal with complaints by students.
2. The OIA *Good Practice Framework for Handling Complaints and Academic Appeals* defines a complaint as “an expression of dissatisfaction by one or more students about the University’s action or lack of action, or about a standard of service provided by or on behalf of the University”.
3. This document explains how to enlist the University’s informal guidance and support networks, which exist to aid in the definition and resolution of problems before they assume the scale of a formal complaint. If this is not possible by informal discussion, the document then explains how and to whom complaints should be made. It provides clear and helpful advice on how to proceed if a student is not satisfied with the way in which the University has dealt with an issue or problem raised.
4. The Student Contract and the documents available in the Student Futures section of Portal entitled ‘Student Policies and Guidance’ and Handbook J set out the entitlements and responsibilities of students. If students believe they have a legitimate complaint, their first step should be to refer to these documents (which can be accessed via Portal). This may clarify what may reasonably be expected.
5. Students who wish to make a complaint (‘Complainant(s)’) should raise it informally and directly with the staff concerned at the earliest opportunity. This gives the best chance of early and effective resolution. Only where the informal procedure has been completed and the Complainant remains dissatisfied should the formal stage be instituted. Students who feel unable to directly contact the member of staff concerned should seek advice from Student Futures or the Students’ Union.

### ***Delegation of responsibility***

6. The Vice-Chancellor, Deputy-Vice-Chancellor or other named post-holders, including the Dean of Students, may delegate powers and responsibilities conferred by this procedure, to a designated alternate (nominee) either generally or in respect of a particular case or in relation to any area of her/his responsibility under this procedure unless otherwise stated. The use of any named post-holder may therefore be interpreted throughout this procedure as meaning the post-holder or their nominee, unless otherwise stated.

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## ***Confidentiality and Record Keeping***

7. All enquiries and disclosures will be made which are necessary to investigate the complaint properly and to collect appropriate information from all the parties and witnesses involved. Except for that purpose, all parties to a complaint must treat the complaint and related documentation confidentially.
8. Any individual against whom a complaint is made is entitled to see a copy of the complaint and to respond to it. A Complainant who wishes the complaint to remain completely confidential is advised to discuss how this might be addressed with an appropriate officer in his or her Faculty (such as the Head of Department or Dean of the Faculty) or in the Office of the Dean of Students (such as the Proctor or Dean of Students) within Student Futures.
9. All records, letters and correspondence in relation to any complaint will be kept in accordance with the Data Protection Act 2018 by those involved in the procedure. Papers relating to formal complaints will be held on file for three years from the date of resolution of the complaint and then destroyed.

## ***Equality***

10. The University is committed to Equality and will strive to accommodate and take into account characteristics and matters beyond the control of students, such as religious events and festivals, work placements away from the University, work and other commitments. The University will also ensure that the complaints procedure is implemented in line with the requirements of the Equality Act and University policies and practice on Equality.
  - 10.1. Complainants who for any reason (including disability) may require assistance in completing the complaints forms should contact either Student Futures or University Centre Shrewsbury.
  - 10.2. Reasonable adjustments for disability can be arranged in consultation with the Complainant and Disability Support as required, including, for example:
    - Holding meetings in accessible rooms
    - Availability of alternative formats, including colour of paper
    - Recording meetings
    - Flexibility on time scales
    - Presence of a 'helper/friend' at meetings
11. Complainants are asked to complete the Equal Opportunities Monitoring Form, which is attached to the complaints form. The University requests this information in order to ensure that Equality aims and objectives and legal requirements are met. The information provided will be treated as confidential and used for statistical purposes and for directing Equality policies and development.

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## SCP II. Scope of the Procedure

### *Who may raise a complaint?*

12. The Students Complaints Procedure applies to complaints submitted by current students at the University and by those persons who were students of the University at any time during the period of six months before submission of the complaint, so long as the complaint was raised within the timescales specified in Table 1: Timescales below.

12.1. Complaints raised by persons who are not students of the University or which are submitted outside these timescales will not be considered under this procedure.

13. Students who are considering making a complaint or who need help or further information, for example about who their complaint should be referred to, may seek advice from any of the following:

- Student Futures
- University Centre Shrewsbury
- The University Proctor
- The Students' Union Welfare Service
- The Faculty Office

### *What can the complaint be about?*

14. This procedure covers complaints relating to:

- the provision of programmes or part of programmes of study
- services or facilities of the University
- action or lack of action by the University

15. This procedure may not be used in respect of any of the following, for which separate procedures exist:

- Academic Appeals relating to examinations or assessments or to academic progress or against expulsion or exclusion on academic grounds (refer to the Student Appeals Procedure and see also paragraph 26 below);
- Disagreement with the academic judgement of a marker or examiner; Awards, Programme or Module Assessment Board; Academic Malpractice Panel or Academic Appeals Board or Mitigating Circumstances Board (refer to the Student Appeals Procedure and see also paragraph 26 below);
- Admissions. Complaints regarding the admissions processes and decisions are subject to a separate procedure (refer to the Admission of Students Handbook);
- Complaints involving bullying and harassment by, and the conduct of, other students (refer to the Student Disciplinary Procedure);

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- Complaints against the Students' Union and its affiliated groups (refer to the Student Union Procedures, Student Union);
- Complaints involving Equality or harassment by a member of staff (refer to the Dignity and Respect Policy & Procedure);
- Complaints about decisions made under the Student Disciplinary Procedure, Professional Suitability Procedure or Fitness to Study Procedure (including Mental Health);
- Complaints regarding matters relating to Freedom of Information or Data Protection;
- Complaints from students at other organisations or on placement regarding service, facilities or other non-academic matters, not related to the University programme of study, that may reasonably be regarded as beyond the control of the University and under the direct responsibility or control of the other organisation or placement organisation (refer to the other organisation's procedures);
- Complaints submitted by a third party, which will not be accepted unless accompanied by written authorisation from the Student;
- Issues raised under the Public Interest Disclosure Act (whistleblowing) relating to placements (refer to the relevant Faculty Whistleblowing procedure).

16. Information about these separate procedures can be found at the Students' Union, Student Futures or on Portal.

### ***Matters of Complaint that may also be an Academic Appeal.***

17. As stated above, complaints which constitute appeals relating to examination or other forms of assessment, including an academic decision, will not be considered under this procedure. However, where matters which properly constitute a complaint are raised as part of an academic appeal, the Head of Academic Quality and Standards shall identify those matters and refer them, including sending a copy of the relevant appeals form and associated paperwork, to the Office of the Dean of Students, who, in turn, shall administer the complaint under the formal stage of this procedure. The appellant/Complainant shall not then be required to submit a complaint form under this procedure but may be asked to give further information about the complaint, including the remedy sought.

18. Students wishing to submit a complaint about academic matters or matters which they believe affected their progression on their programme of study, are advised to seek guidance from the Students' Union as regards use of the appropriate procedure.

### ***Frivolous, vexatious or malicious complaints***

19. Complainants using this procedure in good faith may do so without fear of recrimination. However, making a frivolous, vexatious or malicious complaint will be regarded as a

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disciplinary matter and disciplinary action may accordingly be taken against such Complainant(s) accordingly.

20. A frivolous or vexatious complaint can be characterised in a number of ways, including:

- complaints which tend towards obsession, harassment, prolificity or repetition, or which are designed to cause disruption or annoyance;
- unreasonable insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance;
- behaviour or use of language by the complainant which may reasonably be regarded as violent, indecent, disorderly, threatening, intimidating or offensive (whether expressed orally or in writing);
- demands for redress which lack any serious purpose or value.

21. Where the University believes that a complaint is frivolous or vexatious, it will write to the Complainant explaining that consideration of the complaint is being terminated and giving reasons for the decision.

21.1. Consideration will also be given as to whether to invoke the University's Student Disciplinary or Professional Suitability Procedures as appropriate.

21.2. If the Complainant wishes to appeal against the decision, he or she can do so by writing to the Director of Legal Services who will review the information on the file, including any representations the Complainant has made, and will decide whether to confirm the decision that the complaint is frivolous or vexatious, or to reopen the consideration of the complaint.

### ***Anonymous Complaints***

22. Anonymous complaints may not be dealt with under this procedure. Any such complaint received will be treated at the discretion of the office of the Dean of Students.

### ***Complaints Submitted Directly to the Vice-Chancellor etc***

23. Complaints should be submitted in line with this Procedure. If a complaint is made directly to the Vice-Chancellor, or any other senior manager who is not a designated post holder within this Procedure, the complaint will be passed to the Office of the Dean of Students who will ensure that the complaint is referred to the most appropriate person in line with this Procedure.

### ***Complaints Made by Third Parties***

24. Complaints which are made by a third party (including parents, guardians or friends of registered students) will not normally be dealt with under this Procedure. Students who



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wish to raise a matter of concern or complaint must do so personally and in line with this procedure.

25. However, students who wish to make a complaint may be accompanied and/or assisted at any meeting by one 'Companion' who shall be a fellow student, Students' Union representative or member of staff at the University.

25.1. Except in cases where a reasonable adjustment under the Equality Act is required, family members, partners or representatives from any other body will not be permitted to act as a 'Companion'.

25.2. In exceptional circumstances a student may give authority for a third party to pursue a complaint on their behalf and students wishing to do this should complete a consent form and return this to the Office of the Dean of Students.

### ***Collective Complaints***

26. This procedure can be used by students for both individual and collective complaints. It is expected that the student(s) concerned will pursue the complaint personally. Complaints by a group of students are often of a general nature where it is usually more appropriate for the students to raise the matter with a student academic representative (StAR) on the relevant staff/ student liaison committee in the first instance. Complaints may then be made by the group of students if the relevant representation system has not achieved a satisfactory outcome, or if it is not thought to be an appropriate route.

27. Collective complaints regarding services/non-academic matters may be raised either with the department directly concerned or through the completion of the complaints form through Student Futures.

28. Where Complainants wish to raise a collective complaint through the formal procedure, they are encouraged to nominate one individual to act as a representative for all of them.

### ***Partnership, franchise or collaborative programmes and placements***

29. Students registered on a University of Chester programme of study delivered by another organisation including placements should, in the first instance, use the mechanisms and procedures for the remedy of complaints or grievances which are in place in that organisation and should complete all stages of these procedures.

29.1. Where appropriate, staff at the other organisation may refer relevant matters for consideration to relevant persons at the University, such as Programme Leaders, Heads of Department or Deans of Faculty.

30. It is expected that the delivery partner should manage the learning opportunity on a day-to-day basis. Complaints about day-to-day matters, including service issues, should be considered and concluded by the delivery partner leading to the issuance of a Completion of Procedures letter by the delivery partner.

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31. Where the complaint is a matter of academic standards the matter should be referred to the University for consideration under the Review Stage of this procedure.

31.1. Such referrals will be dealt with under the Review Stage of this procedure, will be regarded as a request for Review and must fulfil the grounds for a request for a Review as detailed below.

32. Where a complaint has been investigated by a placement provider and the Complainant remains dissatisfied, the Complainant should refer the matter to the University for consideration under the Review Stage of this procedure.

32.1. Such referrals will be dealt with under the Review Stage of this procedure, will be regarded as a request for Review and must fulfil the grounds for a request for a Review as detailed below.

### SCP III. Timescales

33. Each of the following stages of this procedure has a specific time limit, as set out in column (2) of the following table, which a complainant must comply with:

*Table 1: Timescales*

(1) Stage	(2) Time limit	(3) Acknowledged	(4) Response by
<b>1) Informal</b>	Complaint must be raised within 2 months of the matter of complaint.		15 Working Days
<b>2) Formal</b>	Complaint must be raised to this stage within 10 working days after the informal response and no later than 3 Months after the matter of complaint or Complaint must be raised no later than 2 Months after the matter of complaint if stage 1 (Informal) has not been engaged.	5 Working Days	30 Working Days
<b>3) Review</b>	Complaint must be raised to this stage within 10 working days from the date of the response notification under stage 2 (Formal).	5 Working Days	30 Working Days

34. It may be necessary to extend the time limits given in this document to take account of matters beyond the University's control, such as sickness, leave or other circumstances of staff who are required to deal with or respond to a complaint. Complainants will be informed if there is likely to be any extension. Complaints submitted under this procedure should normally be completed within 90 days of a complaint being submitted under the formal stage of the procedure.

35. Complaints which are not submitted in compliance with the above time limits at any stage of the procedure will not be considered or will not be escalated to the next stage under

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this procedure (as the case may be). A Completion of Procedures letter which details that the procedure has not been exhausted may be issued at the request of the student.

### ***Matters of Complaint that may require swift action***

36. Special attention will be given by the Office of the Dean of Students and the Investigating Officer to identifying Stage 2 complaints that require swift action. These include, but are not limited to:

- complaints involving a threat of serious harm;
- cases where the impact of the issues raised has detrimental consequences for the student's mental health or where the student displays significant distress;
- cases where external time limits apply, for example in meeting regulatory requirements for completion of professional courses;
- complaints relating to disability support;
- issues of serious and repeated service failure and/or significant delay; or
- issues of a highly sensitive nature.

### **SCP IV. Feedback and Suggestions**

37. The University welcomes feedback and suggestions from students to enable it to improve both its academic delivery and support services. Students wishing to provide feedback but not wishing to complain may do so through the following mechanisms:

- Suggestions on all matters may be made through the Students' Union.
- Suggestions about academic matters can be given directly to the module tutor, through module evaluation or through the student academic representative system.
- Suggestions regarding Support Services or other non-course related matters can be made in writing to the head of the respective service.

37.1. The term 'Support Services' includes Facilities and Estates, Catering, Learning and Information Systems, Housekeeping, Recreation, Accommodation, Transport, Security, the University Nursery, the Careers and Employability Service and the range of services offered by Student Futures (e.g., Counselling, Welfare, Disability Support).

### **SCP V. Outcomes**

38. Although the University of Chester will make every reasonable effort to provide appropriate facilities, amenities and services, submitting a complaint will not always produce the Complainant's preferred outcome. For instance, policy or resource decisions may affect the level of service provided. However, whatever the decision, Complainants will be informed of the outcome, the reasons for it and any recommendations for future or amended University, faculty or department working practices.

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39. A determination under the complaints procedure will not, of itself, result in a change to an academic decision.

### **SCP VI. Complaints Monitoring**

40. The Office of the Dean of Students will keep accurate and complete records of all complaints received by the Office, of the consequent investigations carried out, findings, proposed recommendations and subsequent action including plans for implementation of any proposed recommendations.
- 40.1. All records, letters and correspondence in relation to any complaint will be kept in accordance with the Data Protection Act 1998 by those involved in the procedure. Papers relating to formal complaints will be held on file for three years from the date of resolution of the complaint and then destroyed.
41. As a matter of good practice individual Faculties and Departments are encouraged to keep records of complaints received under the informal stage of the procedure as described in section Stage 1: Informal Local Resolution.

#### ***Monitoring of Individual Complaints***

42. Upon receipt of the finalised report from the Investigating or Review Officer, the Office of the Dean of Students shall:
- 42.1. ensure that the Investigating or Review Officer has adequately covered all matters raised in the complaint;
- 42.2. shall consider the reasonableness of the findings; and
- 42.3. note any proposed recommendations and consult with the relevant faculty or department to determine its feasibility and the action appropriate to implement it.
- 42.3.1. Where any proposed recommendation is not considered feasible or appropriate, a full rationale shall be submitted by the department to the Office of the Dean of Students.
- 42.4. The Office of the Dean of Students shall monitor and report in the annual report on complaints as detailed below on the progress and implementation of all proposed recommendations.
43. Upon receipt of the report the Office of the Dean of Students shall ensure that the Investigating Officer has adequately covered all matters raised in the complaint and shall, in consultation with the department concerned, consider the reasonableness and feasibility of the findings and proposed recommendations including subsequent implementation.

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## *Annual Monitoring of Complaints*

44. An annual report on complaints will be submitted by the Office of the Dean of Students to the Director of Legal Services, for submission to the Senior Management Team, no later than 31<sup>st</sup> December following the academic year ended on the preceding 31<sup>st</sup> July.

44.1. The anonymised report shall, with a view to the promotion of accountability and improvement in the University's services and facilities, detail data relating to Equality monitoring linked to such other matters including, but not limited to, the number of complaints according to the following:

- those received
- type or category e.g. academic issues, accommodation issues etc.
- faculty or department complained about
- that were upheld, partially upheld or rejected
- that resulted in a review and the result of the review
- any other matters deemed pertinent.

44.2. The anonymised report should detail any proposed recommendations made and the progress of those recommendations.

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## **PART 2 – PROCEDURE FOR DEALING WITH STUDENT COMPLAINTS**

### **SCP VII. Stage 1: Informal Local Resolution**

45. Most complaints can be resolved informally and where practicable a complaint should be dealt with as close as possible to the point at which it has arisen.
46. A complaint should be raised initially with the appropriate member of staff, within the relevant Department/Faculty/Support Service, who is responsible for dealing on a day to day basis with the matter being complained about. (e.g. Personal Academic Tutor, Programme leader, Head of Department, House Managers etc). For example, if the complaint refers to an academic matter, the first point of contact should normally be the member of academic staff concerned.
47. Where a complaint is specifically about a module or programme, a Complainant(s) can also raise concerns through their relevant Staff/Student liaison committee.
48. A complaint should normally be raised within 2 months of the events/actions/lack of action complained about. Delay in making a complaint may hinder or prevent a proper investigation of the complaint, with the consequence that the complaint will not be effectively remedied.
49. Complainants should normally expect to receive a response to the complaint within fifteen [15] working days of the University receiving it.
50. If the Complainant(s) is dissatisfied with the response at Stage 1, or, if for any reason the Complainant feels unable to raise the matter under stage 1, s/he should pursue the matter under the formal complaints procedure as detailed in Stage 2.

### **SCP VIII. Stage 2: The Formal Complaints Procedure**

51. Students wishing to make a formal complaint should do so in writing by completion of a Complaints Form, obtained from a range of outlets including:
  - Student Futures
  - Students' Union Offices
  - University Centre Shrewsbury
  - Learning Resources Centre
  - University Reception
  - Registry Services Reception
  - Faculty Offices
  - Portal
52. Complaints must be specific and as comprehensively documented as possible and should include the Complainant(s)' name and address, any relevant documentation, a description of the events complained about with dates, locations and witnesses as appropriate. Any previous unsuccessful attempts at resolution should also be detailed. Finally,

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Complainants should state what reasonable steps they believe should be taken to resolve the complaint. The completed form should be sent to the Office of the Dean of Students in Student Futures.

- 52.1. Complainants who feel unable to raise the matter under stage 1 of the procedure should also detail the reason for omitting this stage. However, failure to raise a matter at stage 1 will not preclude the matter from being investigated at stage 2.

### ***Timescales – Formal Stage***

53. A complaint must normally be raised within ten [10] working days of receiving the response to any complaint raised under the Informal (first) stage of the procedure and no later than 3 months of the events/actions/lack of action complained about.

- 53.1. A complaint raised directly under the Formal (second) stage of the procedure, without any reference to the Informal Stage must be raised within 2 months of the matter of complaint.

54. Complainants should receive a written acknowledgement from the Office of the Dean of Students within five [5] working days of receiving the complaint form.

55. Most complaints under Stage 2 should be resolved within thirty [30] working days of the complaint form being received.

56. The Investigating Officer should seek to complete the investigation within twenty [20] working days of appointment and notification of the complaint.

- 56.1. The Office of the Dean of Students and/or the Investigating Officer will seek to expedite Matters of Complaint that may require swift action (see paragraph 36) where possible and consistent with duties owed to all those involved.

57. If the timescales in paragraphs 54, 55 and 56 are unlikely to be met, the Office of the Dean of Students will inform the Complainant in writing detailing the circumstances of the delay and an expected date for completion of the complaint.

### ***Investigation***

58. The Office of the Dean of Students shall administer the formal complaints process and shall, upon receipt of the complaint, appoint an Investigating Officer who must be a member of staff with appropriate seniority and who may be from the Department/Faculty concerned.

- 58.1. The Office of the Dean of Students shall not appoint an Investigating Officer who has been previously involved in the complaint at Stage 1: Informal Local Resolution. Therefore if a complaint relates to a Dean of Faculty or Director of Service who has had a prior involvement in the complaint at Stage 1: Informal Local Resolution and to whom the complaint could normally be referred under this stage, the Office of the Dean of Students will appoint a member of staff of

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appropriate seniority from a different Department/Faculty not previously involved in the case.

- 58.2. If a complaint is against the Dean of Students or the Proctor's Office the complaint should be forwarded to the University Secretary & Director of Legal Services who will make arrangements for the complaint to be investigated and determined as closely as possible in accordance with the procedure as detailed in this section.
  - 58.3. The term 'appropriate seniority' does not indicate a person who is senior, in the University management structure, to the Dean, Director or Head of Department to which the complaint relates; but rather a member of staff who would be able to act credibly in the capacity as Investigating Officer.
59. A meeting between the Complainant(s) and the Office of the Dean of Students (normally the Proctor) will be offered to the Complainant and if appropriate between the Complainant(s) and the Investigating Officer to discuss the matter. A written or audio record of the meeting will be made by the Office of the Dean of Students or the Investigating Officer as appropriate.
- 59.1. Complainants may, if they wish, be accompanied by a fellow student or member of staff acting as a companion, or by an Executive Officer of the Students' Union.
60. If any individual(s) is the subject of the complaint, the Investigating Officer will hold a separate meeting with that person(s) (who may be accompanied by a companion), the Investigating Officer may also interview any material witnesses. A written or audio record of the meeting will be made by the Investigating Officer.
61. The Investigating Officer shall be granted such access to all relevant policies, procedures, records and other materials (including where necessary personal data held as part of welfare or other associated records) held by the relevant department (or other departments) as they deem appropriate for completion of the investigation.

### ***Report of Findings***

62. Upon completion of the investigation the Investigating Officer shall compile and send a report, addressed to the Complainant, to both the Office of the Dean of Students and the senior manager of the department concerned.
- 62.1. The report should detail the circumstances of the complaint, the method of and findings of the investigation, any proposed recommendations for redress and any proposed recommendations for future or amended working practices designed to prevent the issues raised in the complaint from recurring.
63. Upon receipt of the report the Office of the Dean of Students shall ensure that the Investigating Officer has adequately covered all matters raised in the complaint and shall, consider whether the findings are reasonable and in consultation with the department



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concerned, the feasibility of the findings and proposed recommendations including subsequent implementation.

- 63.1. Where in the opinion of the Office of the Dean of Students the Investigating Officer has not adequately covered all aspects of the complaint or the findings or recommendations contained in the report may be regarded as unreasonable, the Office of the Dean of Students shall return the report, along with full details of their concerns, to the Investigating Officer for further consideration.
64. Once the Office of the Dean of Students is satisfied with the report compiled by the Investigating Officer this will be sent to the Complainant(s), on behalf of the Investigating Officer.
  - 64.1. The Office of the Dean of Students shall continue to monitor the implementation of any proposed recommendations in accordance with the Monitoring of Individual Complaints.
65. If, at the expiry of ten [10] working days from the date of notification to the Complainant(s) from the Office of the Dean of Students referred to in the preceding paragraph, no notice of a request for a review at Stage 3: Request for a Review has been received from the Complainant, the complaint shall be considered closed and concluded.
  - 65.1. Where a student does not exercise the right to request a review within the time limit specified above the matter will be considered completed with no further recourse through the University procedure by the student(s). Where the procedure is completed in this manner a Completion of Procedures Letter will not normally be sent unless the student(s) makes a request. Where the student does make such a request, the Dean of Students will issue a Completion of Procedure Letter indicating that the student was out of time under the procedure and requested the Completion of Procedures letter in these circumstances.

### SCP IX. Stage 3: Request for a Review

#### ***Grounds for Review***

66. Dissatisfaction with the outcome at the formal complaint stage is not sufficient grounds for a Complainant to request a review by a Complaints Review Officer. The only grounds for such a request are that:
  - a. the Investigating Officer has not responded to all the substantive areas of the complaint; or
  - b. there was procedural irregularity in connection with the determination by the Investigating Officer; or
  - c. new evidence has come to light which was not, with reasonable diligence, obtainable by the Complainant(s) at Stage 2.

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- d. That the findings of the Investigating Officer are not reasonable in all circumstances.

### ***Timescales - Review***

- 67. Complainants who consider that they have any of the grounds for a request for a review listed above, should resubmit the complaint within ten [10] working days, from the date of the report notification from the Office of the Dean of Students referred to in the 'Report of Findings' above, to the Office of the Dean of Students.
- 68. Complainants should receive a written acknowledgement from the Office of the Dean of Students within five [5] working days of submitting the request for a review.
- 69. Most requests for a review under Stage 3 should be resolved within thirty [30] working days of the review form being received.
- 70. In the event that the above timescales are unlikely to be met the Office of the Dean of Students will inform the Complainant in writing detailing the circumstances of the delay and an expected date for completion of the review.

### ***Submitting a Request for a Review***

- 71. The request for a review should set out the grounds for a review and provide appropriate written evidence, including a copy of the University's initial response and any additional evidence.
  - 71.1. If previously unavailable new evidence is relied on, the complainant should explain why it was not previously obtainable.
  - 71.2. Where the complainant believes that the findings are unreasonable the complainant should explain why this is the case.

### ***Review of Complaint***

- 72. The Office of the Dean of Students shall administer the complaint as previously in Stage 2 and shall appoint a Complaints Review Officer who must be a member of staff with appropriate seniority and who must be from a different Department or Faculty from the one concerned and different from the Department or Faculty of the Investigating Officer.
  - 72.1. If the request for a review is against the Dean of Students or the Proctor's Office the complaint should be forwarded to the University Secretary & Director of Legal Services who will make arrangements for the complaint to be reviewed as closely as possible in accordance with the procedure as detailed in this section.
  - 72.2. The term 'appropriate seniority' does not indicate a person who is senior, in the University management structure, to the Dean, Director or Head of Department to which the complaint relates or to the Investigating Officer; but rather a member of staff who would be able to act credibly in the capacity as a Complaints Review Officer.

## STUDENT COMPLAINTS PROCEDURE

73. The Review Officer will, based upon the documents received, consider whether or not the Complainant has identified possible grounds for a review and whether the request for a review was submitted within the time limit as prescribed in 'Timescales - Review' above.
- 73.1. If in the opinion of the Review Officer the grounds for review have not been met or the request was submitted late, the Review Officer will reject the request and inform the Complainant accordingly via the Office of the Dean of Students.
74. Where the Review Officer is satisfied that grounds for review have been met, the Review Officer will proceed to review the case on all of the grounds listed above as appropriate.
75. The Review Officer may seek to deal with the case on the basis of documentary evidence or may, at their discretion, call a meeting to which the Complainant is invited to attend to present his/her request in person.
- 75.1. If the Complainant is invited to attend in person, he/she may be accompanied by a fellow student, Students' Union representative or member of staff at the University, who may speak on his/her behalf. The name of the representative must be notified in advance to the Review Officer no later than two working [2] days before the date of the meeting. A written or audio record of the meeting will be made by the Review Officer.
- 75.2. The Complainant(s) will be given not less than five [5] working days' notice, in writing, of the date of the meeting, which should take place within fifteen [15] working days of the date of receipt of the review documentation.
- 75.3. The Review Officer may also call a meeting to which the Investigating Officer or any other persons whom the Review Officer believes to be appropriate, including any individual(s) who is the subject of the complaint, shall be invited. Any person requested to attend such a meeting may be accompanied by one friend or union representative. A written or audio record of the meeting will be made by the Review Officer.
76. The Review Officer shall be granted such access to all relevant policies, procedures, records and other materials (including where necessary personal data held as part of welfare or other associated records) held by the relevant department (or other departments) as they deem appropriate for completion of the Review.
77. Upon completion of the review the Review Officer shall compile and send a report, addressed to the Complainant, to the Office of the Dean of Students, the Investigating Officer and the senior manager of the department concerned as appropriate.
- 77.1. The report should detail the circumstances of the review, the method of and findings of the review, any recommendations for redress and any recommendations for future or amended working practices.

## **STUDENT COMPLAINTS PROCEDURE**

78. Upon receipt of the report the Office of the Dean of Students shall ensure that the Review Officer has covered, satisfactorily, all matters raised in the request for a review and shall, in consultation with the Investigating Officer and department concerned, consider the reasonableness and feasibility of the findings and recommendations including subsequent implementation.

78.1. Where in the opinion of the Office of the Dean of Students the Review Officer has not adequately covered all aspects of the review or the findings or recommendations contained in the report are unreasonable the Office of the Dean of Students shall return the report, along with full details of their concerns, to the Review Officer for further consideration.

79. Once the Office of the Dean of Students is satisfied with the report compiled by the Review Officer this will be sent to the Complainant(s), on behalf of the Review Officer accompanied by a Completion of Procedures letter.

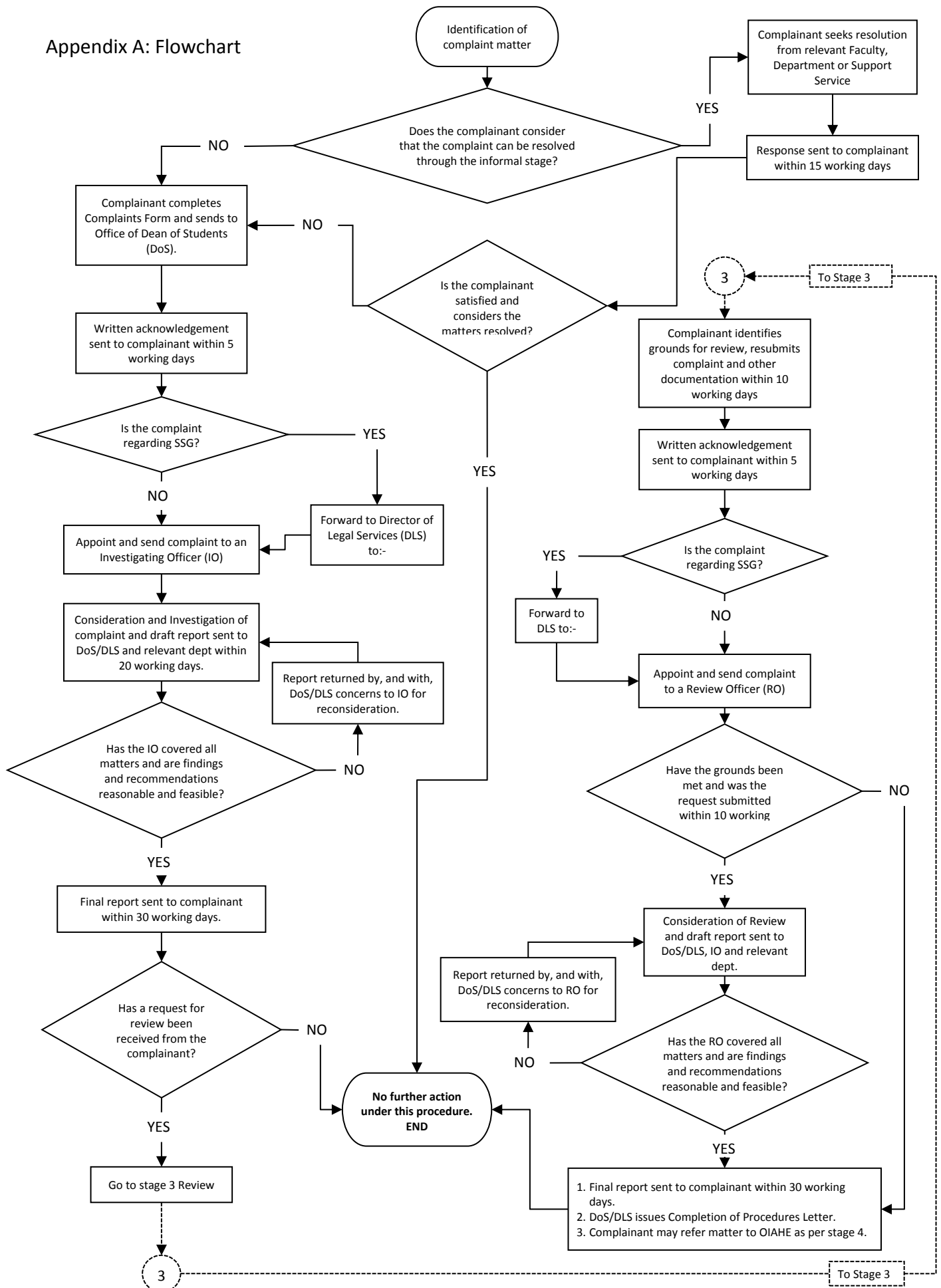
### **SCP X. Office of the Independent Adjudicator**

80. If the Complainant(s) remain aggrieved, they may ask the Office of the Independent Adjudicator (OIA) to consider the complaint. The OIA will normally review a case only if all internal university procedures have been exhausted. A Completion of Procedures letter signifies that this stage has been reached.

81. Guidance on the OIA scheme can be obtained through the Office of the Dean of Students, Student Union, or the OIA web site: [www.oiahe.org.uk](http://www.oiahe.org.uk)

# STUDENT COMPLAINTS PROCEDURE

Appendix A: Flowchart



# STUDENT COMPLAINTS PROCEDURE

## Appendix B: Completion of Procedures Template

This template is for complaints closed on or after 9 July 2015.

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided that the key points below are included.

Dear [Name of complainant],

### Completion of Procedures Letter

This letter confirms that the internal procedures of [name of higher education provider] in relation to your *complaint / appeal etc\** regarding [please describe] have been completed.

*However, under the University procedure you failed to request a Review against the decision of the Panel within the required 15 days and therefore the internal procedure has been exhausted by default.<sup>1</sup>*

The issues that you raised in your *complaint / appeal etc\** were [details]

The issue(s) that were considered in relation to your *complaint / appeal etc was / were\**: [brief summary of the complaint etc].

The final decision of [name of higher education provider] is\* [detail] because [reasons].

The procedures / regulations applied were\*: [details and date as supplied to the OIA's electronic Regulations Bank].

[Name of provider] subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of your *complaint / appeal etc\** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA within 12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [insert date - e.g. if the Completion of Procedures Letter is dated 9 July 2015, this date should be 9 July 2016].

*[Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.]*

You can fill in the OIA's complaint form online or download a copy from the OIA website. <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from [http://oiahe.org.uk/media/42715/oia\\_intro\\_leaflet\\_16pp.pdf](http://oiahe.org.uk/media/42715/oia_intro_leaflet_16pp.pdf). Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA Complaint Form.**

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>. You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.

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

Yours sincerely,

[Authorised signatory]

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<sup>1</sup> This paragraph should only be used where a COP is issued where the appeal times out and following a request by the student.