

## **STUDENT COMPLAINTS PROCEDURE**

### **1. Preamble**

The purpose of the complaints procedure is to enable students, former students, applicants or any other user of the University's services to raise issues of dissatisfaction through a clear process which identifies a member of staff responsible for dealing with and resolving complaints. The process should be followed contemporaneously. This is because it may only be possible to investigate a problem when it is happening or immediately after.

The procedure allows matters to do with the teaching process to be raised as complaints but does not allow for a complaint to be raised about an academic outcome i.e. an examination or assessment result. The procedure can not be invoked to constitute an appeal against an examination or assessment result. The procedure does not provide for any alteration of academic outcomes. All appeals against assessment decisions are subject to Academic Regulations set out in the Student Handbook.

Complaints about services provided by the Students' Union are covered by the Students' Union complaints procedure as required by the Education Act 1994 [Section 22(2)(m)]. Such complaints should be directed to the President of the Students' Union (or to a person nominated by the President) who will ensure that the Students' Union complaints procedure is followed.

Where the complaint is about a service which the University provides through a contract for services with an independent contractor or is about the conduct of an employee of such an independent contractor, the complaint should be directed to the member of the University's staff who has responsibility for the supervision of the contract by which the service in question is provided. In cases where this is not clear the advice of the University Secretary should be sought.

This procedure is not for complaints by one student against another which are the subject of separate disciplinary regulations. At any stage in the Procedure the complainant, if a student, may seek the assistance of the Students' Union or a fellow student or a member of staff in pursuing the complaint.

### **2. Complaints**

Legitimate complaints have been defined as 'any expression of dissatisfaction which requires a response' (Citizens Charter Complaints Task Force and Service First Unit, Cabinet Office). Such expressions of dissatisfaction may relate to the services or facilities provided by the University. Students are encouraged to raise issues at an early stage. Delay may create problems in the investigation of a complaint and limit the effectiveness and range of responses. Complaints lodged over 6 months after the act or omission complained of will only be considered in exceptional circumstances and when reasonable cause for such delay can be demonstrated. The University Secretary will determine whether such complaints should be considered.

### **3. Local Resolution**

Complaints will normally be resolved locally by the department concerned with or responsible for the matter giving rise to the complaint. For this purpose each department will have in place procedures for resolving complaints. These will be in writing and include details of a designated contact person. Copies of all local procedures will be available through the University Secretary's Office. Such procedures will follow a standard pattern as set out in the attached annexure and will be approved by the University Secretary. This is likely to be the most effective and timely way to resolve most complaints. If a complaint involves more than one department, the responsibility for co-ordinating a response shall fall to whichever department receives the complaint.

Where complaints are referred through the formal procedure under paragraph 4 below without having been considered at local departmental level they will automatically be referred for such consideration and resolution.

### **4. Formal Procedures**

Where it has not been possible to resolve a complaint locally the complainant may refer the matter to the University Secretary.

A formal complaint must include in writing:- the complainant's name and contact address on a covering note to the complaint, not as part of the

complaint itself (this is to ensure, where necessary, the confidentiality of the complainant); a request that the complaint be dealt with formally under this procedure; confirmation that the informal channels detailed in the initial complaints procedure (section 3 above) have been explored unsuccessfully, including details of the individuals involved and why the complaint has not been satisfactorily resolved the circumstances (and date thereof) giving rise to the complaint; the identity, if known, of any member of the University's staff concerned in those circumstances, and; any evidence by way of corroboration, eg a witness statement, to be appended.

The University Secretary will have the power to dismiss any complaints which have been dealt with properly and reasonably at local level and/or where no further action can be taken. When such a decision is taken the complainant shall be informed in writing of the decision and reasons. The University Secretary will also have the power to refer to the local level complaints, which have not first been considered there. When a complaint is to be considered the University Secretary will investigate the matter and submit a report to a Deputy Vice-Chancellor without line management responsibility for the area which is the subject of complaint who will come to a conclusion. Investigation will include consulting with the relevant Head of Department and the complainant. Investigation of complaints from research degree students involving the supervisory relationship or the nature of academic advice given should include consultation with the Chair of the Research Degrees Committee or nominee. The possibility of local resolution shall continue to be available throughout this process. The investigation will normally be completed within 28 working days. The Deputy Vice-Chancellor may if s/he considers it appropriate conduct his own investigation before reaching a conclusion. The conclusion will be made known in writing to the complainant. Throughout the local and formal procedures students may seek assistance from the Students' Union.

## **5. Appeals**

If a complainant wishes to appeal against the decision of a Deputy Vice-Chancellor s/he shall submit such an appeal in writing to the

Vice-Chancellor and Chief Executive within five working days of the outcome being notified. The appeal must relate to procedural irregularity in the conduct of the Complaints procedure.

The appeal must set out grounds for the appeal. Only appeals which demonstrate a case for consideration, will be accepted as a valid appeal. Where an appeal is considered to be invalid the Vice-Chancellor and Chief Executive shall notify the student in writing, providing reasons for the decision and the student shall have no further right of appeal. The appeal shall not involve a re-consideration of the complaint. If further information is available which was not available at the time the Vice-Chancellor and Chief Executive will decide whether it should not be considered. The Vice-Chancellor and Chief Executive shall only consider the appeal on the grounds presented by the appellant. The Vice-Chancellor and Chief Executive will allow the appellant to present his/her grounds in person as part of the appeal. The appellant may be accompanied at the appeal by a friend who may speak on his/her behalf. The friend shall be a current student of the University or a sabbatical officer of the Students' Union or a member of staff of the University.

The outcome of the appeal will be notified to the appellant by not later than 28 working days after its submission.

Details of complaints considered and determined at local levels shall be sent to the Director of Academic Administration for monitoring purposes. Details of complaints dealt with under the formal procedure will also be the subject of such monitoring.

## **6. External Review**

In the event that the complainant remains dissatisfied, it is open to him/her to seek review from the Independent Adjudicator established for this purpose. The University Secretary will provide details of how to proceed with such an application on request from the complainant.

## **Annexure 1**

### **Departmental Procedures**

Each department (Teaching and Professional Service Department) is required to have a procedure for dealing with complaints. While the detail of these may necessarily vary, the following features must be incorporated:

- be easy to access and well publicised
- identify named individual(s) who are responsible for dealing with complaints
- establish timescales for response
- keep complainants informed of the progress of complaint
- provide clear resolution/response
- identify rights of appeal and access to the University Complaints Procedure.

Complaints should be recorded together with the outcome.

At departmental level procedures must allow the complaint to be raised directly and orally with the member of the University's staff who appears to be most directly concerned in the matter giving rise to the complaint. For a complaint concerning the organisation or delivery of a course this would normally be the individual lecturer or tutor concerned. Where it is not clear to the complainant which member of the University's staff is directly concerned, the complaint should be directed to a person who is identified within the procedure as having responsibility for complaints.

At any stage the complainant may seek the assistance of the Students' Union in pursuing the complaint.