

STUDENT COMPLAINTS

STUDENT COMPLAINTS PROCEDURE

Revised September 2010

*(The **Student Complaints Procedure** is approved by the Board of Governors and effective for the academic year 2010-11 and subsequently until amended or revoked. The **Preamble, Guidance Notes for Students** and the accompanying **Code of Practice for Staff** are not part of the formal Student Complaints Procedure and are therefore only subject to approval or amendment by the Executive Board).*

NOTE FOR STUDENTS STUDYING AT PARTNER INSTITUTIONS

It is expected that partners will have their own complaints procedures which students will be informed about as part of the partner's own induction processes. The complaints procedures of the partner or the University should be used to investigate formal complaints made by students about services provided respectively by the partner or the University.

SECTION 1 Preamble

Student Complaints Procedure Summary Flowchart

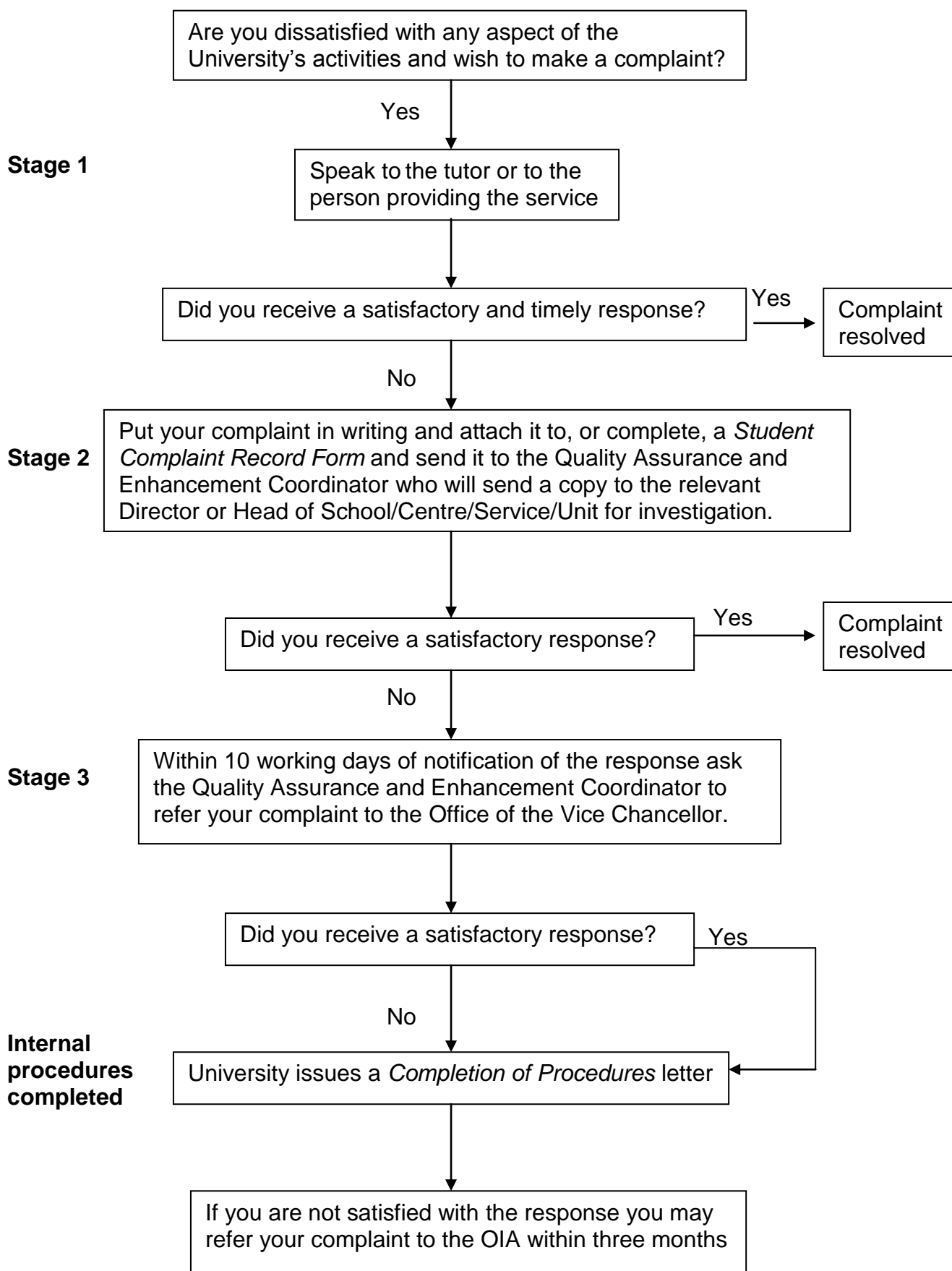
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SECTION 1 PREAMBLE

1. The *Student Complaints Procedure* is designed to enable an individual or, in the case of a group of students, **the Student Representative** to bring matters of concern to the attention of the University and to provide a mechanism for the investigation of those concerns with the aim of a satisfactory conclusion.
2. The aim of the *Student Complaints Procedure* is to provide an accessible, straightforward and timely consideration of student complaints so that all have confidence that these are being given effective attention.
3. It is therefore necessary to provide a central facility in the Quality Assurance and Enhancement Unit to undertake certain functions in relation to this *Procedure*.
4. Complaints records will be monitored by the Quality Assurance and Enhancement Unit in such a way as to assist in the maintenance and continuous improvement of service standards in the University.
5. Students who complete all internal procedures will be issued with a *Completion of Procedures Letter* by the Quality Assurance and Enhancement Coordinator, which is required for any review of their complaint by the Office of the Independent Adjudicator for Higher Education (OIA).
6. The Quality Assurance and Enhancement Coordinator shall review the operation of the *Student Complaints Procedure* and the *Code of Practice for Staff* on an annual basis to inform any recommendations for changes in subsequent academic years.
7. An annual report on Student Complaints shall be prepared for the Executive Board by the Quality Assurance and Enhancement Coordinator, based on the experience and evaluation of the operation of the Procedure in the previous academic year.
8. The *Student Complaints Procedure* acknowledges the existence of other University procedures and policies which may be more appropriate to deal with some issues which, nevertheless, may be raised initially as a student complaint.

Student Complaints Procedure Summary Flowchart



SECTION 2 STUDENT COMPLAINTS PROCEDURE

1. Introduction

- 1.1 This Procedure shall be supplemented by a ***Code of Practice for Staff*** and ***Guidance Notes for Students*** (see above) which will be approved within the University and amended as necessary by the appropriate authority, as determined by the Vice Chancellor. **(Reference to any post holder throughout these Procedures shall be deemed to apply to any deputy or nominee of that post holder).**

2. Definition

- 2.1 A complaint is **an expression of dissatisfaction with any aspect of the University's activities, or their absence, in a manner that expects and allows for its proper consideration and the appropriate responses to the relevant individual/s.**

The following will not be regarded as a complaint:

An enquiry	e.g. when a student asks about the availability of a course, service or facility in the University.
A request	e.g. when a student asks for the provision of a service or facility, for action to be taken, for an explanation or justification.
A comment	e.g. which is informal and does not require further action.
A suggestion	e.g. for an improvement in provision of a course, service or facility.
A report	e.g. when a student reports that something is wrong.
An appeal	e.g. when a student 'appeals' i.e. requests a review of an Assessment Board decision.

- 2.2 The complaint must be about a matter relevant to the University's activities and be made by a student, or a group of students, who must have a relationship with the University of prospective, accepted, enrolled or past student status. **(In the case of a complaint from a group of students, the complaint should be submitted on their behalf by the Student Representative).** Where it is inappropriate or not possible for the student to make the complaint this may be done on their behalf by a person, who in the view of the University has a legitimate interest in the student's complaint **(and with the student's**

knowledge and written consent) and that interest must be made clear to the University.

- 2.4 A complaint must be made within **three months** of the occurrence of the relevant event or activity or its absence.
- 2.5 Where it is decided at any stage that the complaint does not meet these criteria and therefore shall not be considered, the reason for this shall be included in the response to the student.

3. Stage 1 Informal complaint

- 3.1 Complaints of a minor nature can frequently be sorted out quickly by talking directly to the tutor or to the person providing the service.
- 3.2 It is anticipated that **informal resolution** of a complaint will be an oral process, no written record will be made and that the majority of complaints will be resolved in this manner.
- 3.3 If you wish make an **informal** complaint about any aspect of the University's activities, please make contact with the appropriate School/Unit of the University. If you do not know the relevant School/Unit of the University please enquire within Student Services and/or the Students' Union.

4. Stage 2 Formal complaint

- 4.1 A **formal** complaint must be made **in writing** on/or attached to, a completed and **signed** *Student Complaint Record Form* either by the person making the complaint or on their behalf by a person who, in the view of the University, has a **legitimate** interest in the student's complaint (**and with the student's written agreement (see 2.2 above)**). The *Form* and any additional documents should be sent to the Quality Assurance and Enhancement Coordinator.
- 4.2 All complaints will be considered initially by the Quality Assurance and Enhancement Coordinator who will decide if the *Form* (and any attachments) has/have been completed adequately and if the complaint is acceptable under the formal procedure. A copy of the complaint will be forwarded to the Director/ Head of School / Centre / Service / Unit (or their nominee) which is the subject of the complaint for investigation, unless the Quality Assurance and Enhancement Coordinator decides that this is inappropriate. It is the duty of the investigator to make any person subject to a complaint aware of the details as soon as possible (see 5.2 below).

- 4.3 The Quality Assurance and Enhancement Coordinator will make available guidance on complaints to the student and to that part of the University considering it, where necessary.
- 4.4 The complainant will receive a written acknowledgement of the complaint normally within five working days of the completed *Student Complaint Record Form* being received by the Quality Assurance and Enhancement Unit and, subsequently, either the written response to it or a report on progress, normally within 10 working days of receipt of the complaint and every 10 working days thereafter.

5. Considering Student Complaints

- 5.1 Student Complaints shall be handled by staff in accordance with the ***Code of Practice for Staff***.
- 5.2 Where the student, or any individual against whom the complaint is made, participates in any investigation they are entitled to relevant documents (at least the complaint and any record of the outcomes of any previous stage) and to be accompanied and/or represented by another member of the University community at any hearing or interview. However, any person accompanying the complainant at such meetings must not be a legal representative.
- 5.3 A student complainant will be informed by the Quality Assurance and Enhancement Coordinator of what opportunity exists to claim reasonable incidental expenses necessarily incurred in making a justifiable complaint. Such a claim will be considered by the Office of the Vice Chancellor.
- 5.4 The Quality Assurance and Enhancement Coordinator shall be kept informed by the person investigating the complaint on progress every 10 working days in order to maintain appropriate contact with the complainant and will receive a copy of the letter of response to the student when this is issued.
- 5.5 A review of a complaint at the student's request at a subsequent stage of the procedures shall be on the grounds of a material error or irregularity in the handling of the original complaint or of the unreasonableness or unfairness of the decision reached.

This review should consider whether the *Student Complaints Procedure* has been observed correctly and/or that the decision reached was reasonable and fair. The student may choose for this to be only by examination of relevant documentation.

- 5.6 The person investigating a complaint at any stage shall have access to all relevant documents, any other evidence and individuals, and may offer an informal resolution of the complaint at any stage.
- 5.7 Complaints will be dealt with in confidence as far as possible and only by those members of staff who need to consider them. Only information about the complaint that is necessary for the purpose of investigating and resolving the complaint and keeping appropriate records will be revealed to another person.
- 5.8 Documentation on the complaint will be kept in a secure location. Discussions and interviews on the matter will be held in private.
- 5.9 If a complainant requests anonymity they will be advised by the Quality Assurance and Enhancement Coordinator that this may place limitations on the investigation and possible outcome. If this is likely to be the case, a request will be made for the student's agreement for disclosure of their name in connection with their complaint and it may be that the complaint will not be considered if anonymity is insisted upon.
- 5.10 **However, a complaint which proves to be frivolous, malicious, libelous or vexatious can jeopardise the effective use of the procedure and may not be considered. This may result in disciplinary action. A complaint may not be considered if it is in, or accompanied by, an unacceptable form of behaviour or writing.**

6. Outcome and Redress

- 6.1 The outcome of any stage in the procedure and the reasons leading to this decision shall be communicated in writing to the complainant, the Quality Assurance and Enhancement Coordinator and all other relevant parties normally within 10 working days of the decision being taken.
- 6.2 The outcome may include redress for the complainant and/or the removal of the cause of the complaint or a recommendation on either of these.
- 6.3 Any redress shall be determined by the person considering the complaint within the limits of their authority and any recommendation beyond this shall be to the appropriate person or part of the University.
- 6.4 A member of staff or part of the University receiving a recommendation for redress for a complainant or for other action to be taken shall consider this carefully and report their response to the student complainant, the Quality Assurance and Enhancement Coordinator and other relevant parties within 10 working days of the receipt of the recommendation.

7. **Stage 3** **Consideration by the Office of the Vice Chancellor**

- 7.1 If the student is not satisfied with the outcome of Stage 2, they may submit a request to the Quality Assurance and Enhancement Coordinator for their complaint to be referred to the next stage giving their reasons **in writing** within 10 working days of the decision from Stage 2 being notified to them. Further consideration of a complaint at the student's request at a subsequent stage shall be on the grounds of a material error or irregularity in the handling of the original complaint. The student may choose for this to be only by examination of the relevant documentation.
- 7.2 If one or both of these grounds are present, a senior member of the University within the Office of the Vice Chancellor will investigate the complaint and respond directly to the complainant.
- 7.3 The response to the complaint from the Office of the Vice Chancellor represents the University's final response within its *Student Complaints Procedures*.
- 7.4 A copy of the response will be sent to the Quality Assurance and Enhancement Coordinator together with a request for the issue of a *Completion of Procedures* letter to the student. The *Completion of Procedures* letter, together with information regarding the Office of the Independent Adjudicator for Higher Education (the OIA), will normally be sent within 10 working days of the final response being sent to the complainant.

8. **Office of the Independent Adjudicator for Higher Education (OIA)**

- 8.1 Once the complainant has been issued with a *Completion of Procedures* letter they will be able to have their complaint considered by the OIA. Information about the OIA will be sent with the *Completion of Procedures* letter or can be obtained from Student Services, the Students' Union, the Quality Assurance and Enhancement Coordinator or directly from the OIA –

OIA, Third Floor, Kings Reach, 38-50 Kings Road, Reading, RG1 3AA
Telephone No. 0118 959 9813
e-mail: enquiries@oiahe.org.uk
www.oiahe.org.uk

- 8.2 A complaint will not be considered by the OIA unless it is received within **three months** from the date of issue of the *Completion of Procedures* letter.
- 8.3 The formal decision and recommendation of the OIA Reviewer will be considered by the Office of the Vice Chancellor who may:

- (a) accept the recommendations in full or in part
- (b) not accept recommendations in full or in part.

Where the Office of the Vice Chancellor does not accept the recommendation(s), the OIA Reviewer will be informed as soon as is reasonably practicable, giving reasons for non-acceptance.

Student Complaint Procedure	
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Name of Developer/Reviewer	Richard Howell
Policy Owner (School/Centre/Unit)	Quality Assurance and Enhancement Unit
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Document History (e.g. rationale for and dates of previous amendments)	Previously amended April 2007

The University of Bolton is committed to the promotion of equality, diversity and a supportive environment for all members of our community. Our commitment to equality and diversity means that this policy has been screened in relation to the use of plain English, the promotion of the positive duty in relation to race, gender and disability and avoidance of discrimination to other equality groups related to age, sexual orientation, religion or belief or gender reassignment.