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STUDENT COMPLAINTS PROCEDURE

1. Introduction

Within this procedure, by 'student', we also mean applicant who is not yet enrolled to the University.

- 1.1. For the purpose of this procedure, and in line with the Quality Assurance Agency's *UK Quality Code for Higher Education* ([UK Quality Code](#)), a complaint is defined as the: *'expression of a specific concern about matters that affect the quality of a student's learning opportunities.'*
- 1.2. The University of Gloucestershire is committed to providing a high quality educational experience, fully supported by a range of academic and administrative services and facilities. The [Student Charter](#) sets out the entitlements and responsibilities of students and is based upon a spirit of partnership between staff and students. If students believe they have a legitimate complaint, they should first refer to the Student Charter to clarify what is reasonable for them to expect in the relevant area, and whether they have discharged the corresponding expectations.
- 1.3. The University welcomes the opportunity to correct mistakes, clarify misunderstandings and to respond positively and constructively on any occasion when students feel the need to express dissatisfaction with a particular service or other aspect of University provision.

2. Principles

- 2.1. The procedure is based on the principles of fairness and transparency and is in keeping with the *UK Quality Code*, and the Office of the Independent Adjudicator for Higher Education's [Good Practice Framework for Handling Complaints and Academic Appeals](#). The procedure is set out to ensure:
 - timely resolution of complaints, with an emphasis on local resolution at the earliest opportunity
 - processes, decisions and the reasons behind them are clear and there is opportunity for independent review
 - students are supported
- 2.2. The *UK Quality Code* sets out the principles for addressing complaints on academic matters by students in higher education with a requirement that 'Higher education providers have fair, effective and timely procedures for handling students' complaints and academic appeals'. In this spirit, it is anticipated that the majority of student complaints will be resolved as early as possible through informal dialogue between staff and students at a local level and to the satisfaction of all parties.
- 2.3. Information about complainants and individuals against whom complaints are made will be dealt with sensitively and will be kept confidential, except where the disclosure is necessary to progress the complaint or implement a decision on the complaint, or where it is required by law or in the public interest. If there are elements of a student's appeal which are particularly sensitive and they have concerns about their confidentiality, they are welcome to raise this with the Governance and Secretariat Services Team at: appealsandcomplaints@glos.ac.uk, who will discuss how disclosure can

be minimised.

- 2.4. The University will make reasonable adjustments at any stage of the proceedings to accommodate the needs of students.
- 2.5. Students making complaints will not suffer any disadvantage or discrimination as a result of making a complaint in good faith. However, if a complaint is judged to have been made frivolously, vexatiously or with malice, disciplinary action may be taken against the student.
- 2.6. The University expects all parties in a dispute to act professionally, respectfully and within the spirit of its policies and codes of conduct throughout all stages of the Complaints Procedure.
- 2.7. The University will monitor the operation of the Student Complaints Procedure in such a way as to assist in the maintenance and continuous improvement of service standards.
- 2.8. The University does not pay any expenses incurred by a student as a result of a complaint. In exceptional circumstances, the Director of Governance and Registry Services has the discretion to offer a payment to meet reasonable and proportionate incidental expenses arising from the appeal. In such cases, complainants would be required to provide original receipts of expenses incurred.

3. Who can make a Student Complaint?

- 3.1. The Student Complaints Procedure may be used by anyone who is, or was, an applicant to the University, and anyone who is, or was, an enrolled student at the University. This includes those accepted to study with the University or registered for its awards; those currently on a placement and those who recently left the institution. Please note that Section 8 of this procedure outlines specific timescales within which complaints must be lodged.
- 3.2. Where issues of complaint affect a number of students, those students may submit a complaint as a group. Students submitting a group complaint are expected to show how they have been personally affected by the matter which is the subject of the complaint. In order to manage the progression of the complaint in such circumstances, the group must agree in writing that they nominate one student to act as the spokesperson for those students complaining. Any complaints affecting a module or course and its delivery as a whole should be raised with the relevant Module Tutor or Academic Course Leader as soon as they arise.
- 3.3. The University will only accept a complaint from the student and not from someone else on the student's behalf, for example, from a parent or spouse. In exceptional circumstances, at the discretion of the Director of Governance and Registry Services, a third party may submit a complaint on a student's behalf if the student provides written consent and a reason deemed acceptable.
- 3.4. Student complaints which are received anonymously are not normally accepted but may be accepted at the discretion of the University. However, students who wish to raise a concern anonymously should be aware that this could impede the investigation and communication of the outcome. If a member of staff receives an anonymous complaint, he/she will be expected to seek advice from the Director of Governance and Registry Services or Governance and Secretariat Services Team as to how the complaint should be dealt with.
- 3.5. Students have the right to be accompanied by, supported or advised at any stage of the procedure by another member of the University community, (which is a person who is a currently enrolled student of the University, or a member of staff of the University, or a member of staff or elected officer of the University of Gloucestershire Students' Union). If a student is under 18 years of age they must be accompanied by a parent, guardian or other responsible adult.

4. Programmes delivered by a Collaborative Partner Organisation

- 4.1 Students studying at Collaborative Partner organisations who are enrolled on University of Gloucestershire awards should follow the Collaborative Partner's complaints procedure, as set out in the *Student Terms and Conditions of Admission*. Collaborative Partners organisations are responsible for investigating both academic and non-academic student complaints initially and, where possible, resolving them under their own procedures.
- 4.2 If a student is still unhappy with the outcome of an academic-related complaint after completing the Collaborative Partner's procedures, they may ask to have the matter reviewed by the University under this procedure. Academic-related complaints may include alleged inadequacies in the provision of a programme of study, tuition, supervision, learning support materials etc. In these circumstances, the student should submit a Student Complaints Form to the Governance and Secretariat Services Team within 10 working days of the final decision of the collaborative partner organisation.
- 4.3 The University will not review non-academic complaints which have exhausted a Partner's procedures. Non-academic complaints normally relate to alleged inadequacies in other non-academic services provided to students.

5. Types of Complaints that can be submitted using this Procedure

- 5.1 Complaints can be academic or non-academic in nature. Academic-related complaints may include alleged inadequacies in the provision of a programme of study, tuition, supervision, learning support materials, etc. Non-academic complaints normally relate to alleged inadequacies in other services provided to students by the University such as a failure to provide appropriate reasonable adjustments related to a disability, or failure to meet contractual or other legal obligations.
- 5.2 If a student wants to complain about the service of another organisation provided on behalf of the University (e.g. catering services), they are advised to contact that organisation directly, as they will normally be best placed to investigate and resolve any problems that arise. Where the student engages the services of other organisations, it aims to ensure that organisation has appropriate complaints procedures in place.
- 5.3 Please note that there is a separate [Academic Appeals Procedure](#) which enables students to request the review of a decision by a Board of Examiners regarding matters of student progression, assessment and awards.
- 5.4 There may be times when what is expressed as a complaint contains within it an academic appeal and vice versa. Where this is the case, the Director of Governance and Registry Services (or nominee) will determine whether a complaint or academic appeal should be reclassified (at whatever stage they may have reached). This decision will be made in consultation with the student and they will be advised of the alternative procedure which will be used to consider their case.
- 5.5 The University recognises that students may raise multiple issues which do not fall neatly into the category of either a complaint or academic appeal. In these circumstances, the student will be informed which issues will be considered under which procedure and they will be directed to the alternative procedure as appropriate to allow all issues to be considered. This may require one procedure to be suspended pending the completion of the other or alternatively, the University may, with the agreement of the student, decide to consider the matters together. Students will be advised of the effects, if any, of following two procedures at once, particularly where one procedure may be suspended until the other is completed.
- 5.6 Where there is significant overlap, the University may decide to consider matters together, if the student agrees to this. For example, if an appeal includes matters that could also be dealt with under other procedures, such as the Student Complaints Procedure, a joint investigation may be

carried out. In such cases, the student will be informed where responsibility for the overall investigation lies and who will issue the final decision.

6. Types of Complaints that cannot be submitted using this Procedure

6.1 The Student Complaints Procedure cannot be used for any of the following matters, for which separate policies and procedures exist:

- Complaints about the Students' Union;
- Complaints about other students;
- Complaints by applicants about admissions decisions, where separate [Admissions Procedures for Applicants](#) exist;
- Matters relating to assessment performance and issues of academic judgement, except where there is a complaint about a service provided which needs to be resolved before an academic appeal decision can be made.
- Matters relating to [Fitness to Practise](#) or [Supported Study Procedures](#), where separate procedures exist;
- Complaints which relate to [whistleblowing](#), [Freedom of Information](#) or of personal [harassment or bullying](#), where separate procedures exist;
- Complaints about the service of another organisation or contractor who provide a service on behalf of the University, where students should contact the appropriate organisation directly.
- Complaints from members of the public, where separate [Public Complaints Procedure](#) exists.

7. Advice and Guidance

7.1 For independent, non-judgemental advice and guidance students may find it helpful to ask the [Students' Union](#) or [Student Helpzones](#) for advice and guidance on their intended complaint. If students have any questions about how the complaints process works, they can contact the Governance and Secretariat Services Team at: appealsandcomplaints@glos.ac.uk

8. Timescales

8.1 To enable the University to investigate and resolve complaints in a timely manner, students should raise issues of complaint as soon as they occur and make reasonable attempts to resolve the matter informally at a local level. If the matter is not resolved and the student wishes to pursue a formal complaint, this should be raised **no later than three months** after a student has completed the year of study in which the complaint arose or within three months of the date of withdrawal, or beginning of an approved leave of absence from their programme of study, whichever is earlier. Student complaints received after this period will only be accepted at the discretion of the University and where there is good reason supported by evidence for late submission.

8.2 The University is committed to dealing with complaints as quickly as possible, and to complete the processing of a formal complaint and any associated review within **90 calendar days**. Within that 90 calendar day timeframe, students must meet any University deadlines for the submission of documentation and attending meetings. There may occasionally be circumstances when the timeframe needs to be extended for different stages of the procedure for good reason, particularly if the complaint is complex, extensive, or was submitted at a time when key staff are away from the University. If this is the case, the student will be notified and regularly informed of progress.

8.3 The University defines a 'working day' as Monday to Friday excluding bank holidays and other days when the University is closed.

THE PROCEDURES FOR SUBMITTING A COMPLAINT

9. Stage 1 – Immediate Local Resolution

- 9.1 The University believes that a complaint should be addressed quickly. In order for this to happen, students are expected to attempt to resolve issues or concerns directly with the appropriate member of staff best able to deal with it as soon as possible. For example, this may be the Module Tutor or Academic Course Leader for academic-related complaints or an appropriate member of staff or manager in the relevant Course Team or School, or Professional Services Department for non-academic complaints.
- 9.2 Informal resolution enables the University to resolve as quickly as possible concerns which are straightforward and require little or no investigation. Concerns raised at this stage can be handled by a face-to-face discussion with the complainant or by asking an appropriate member of staff, or trained mediator, to help them deal with the matter. If the responsibility for the matter raised lies within the staff member's area of work, every attempt should be made to resolve the concern in consultation with the student where appropriate. If responsibility lies elsewhere, the staff member should liaise with the relevant area to facilitate swift resolution.
- 9.3 Staff should make every effort to resolve complaints informally but, in the interests of the student, may suggest use of the formal (Stage 2) complaints procedures if they regard the matter to be highly complex, believe that a solution cannot be reached within the required timeframe for informal resolution (**ten working days**), or that only part of the complaint can be resolved at this stage.
- 9.4 Where it is evident to the student or to staff that a concern will need to be considered at the formal stage of the procedures, the student should be directed promptly to Stage 2 of the Student Complaints Procedure.
- 9.5 Students must have tried to resolve the issue informally at a local level first wherever possible before moving to the formal stages of the procedure.

10. Stage 2 – Formal Complaint Resolution

- 10.1 If the complaint is not resolved informally to the satisfaction of the student at Stage 1, the student has the right to pursue a formal complaint by submitting a [Student Complaints Form](#) by email (sent to: appealsandcomplaints@glos.ac.uk) or by post (addressed to: Student Complaints, Governance and Secretariat Services Team, University of Gloucestershire, Fullwood, The Park, Cheltenham, GL50 2RH).
- 10.2 It is a requirement that the Student Complaints Form is completed so that the matter can be carefully managed; so that students may be precise about their concern(s), how they have attempted to resolve the matter informally at a local level, and what resolution they are seeking. Wherever possible, should be accompanied by evidence to support the issues of complaint. This may be for example, copies of relevant correspondence. Advice on how to complete the Form can be obtained from the Governance and Secretariat Services Team or the Students' Union.
- 10.3 It is the responsibility of the student to ensure that they raise all relevant issues and that they provide all the necessary information and supporting documentation at the point of submission. The Governance and Secretariat Services Team may ask the student to provide further information or evidence and will set an appropriate time limit for this to be made available by the student.
- 10.4 Students should expect to receive an acknowledgement to their formal complaint within three working days of receipt. If you have not received an acknowledgement within five working days, please contact appealsandcomplaints@glos.ac.uk to check that your complaint has been received.
- 10.5 Stage 2 of the procedures allows for the complaint to be investigated by a Complaints Officer on behalf of the relevant Head of School or Head of Professional Services Department. Upon concluding their investigation, the Complaints Officer will make a recommendation to the Head of School or

Head of Professional Services Department on what action should be taken, normally **within one calendar month** of receiving the Student Complaint Form. They may recommend that, in the interests of the student, partially unresolved matters should be considered at a Stage 3 Review.

10.6 The student will be provided with a written outcome of the conclusion of Stage 2. If the complaint is upheld, the student will be informed what action is to be taken, or any recommendations that have been made. If the complaint is partially upheld or is dismissed, the student will be informed of reasons for the decision.

10.7 Students will also be advised on how they may proceed if they remain dissatisfied following Stage 2.

11. Stage 3 – Formal Complaint Review

11.1 If the complaint is not resolved to the satisfaction of the student at Stage 2, the student has the right to have the complaint considered by a Student Complaints Review Panel. The request for a review will be on limited grounds that the student does not think the outcome of Stage 2 is reasonable because:

- there were unresolved matters at the end of Stage 2 and which may need to be dealt with at a higher level within the University;
- new material evidence has now become available and which the student was unable, for valid reasons, to provide earlier in the process ;
- there was procedural irregularity in how the University followed the process in Stage 2.

11.2 If the student wishes this to happen they must present notice of this in writing to the Director of Governance & Registry Services. This should be sent by email (to: appealsandcomplaints@glos.ac.uk) or by post (addressed to: Student Complaints, Governance and Secretariat Services Team, University of Gloucestershire, Fullwood, The Park, Cheltenham, GL50 2RH) **within 10 working days** from date of the outcome of Stage 2. The student must include a statement explaining why they remain dissatisfied and on what grounds, and what the desired outcome of the complaint is. The request for a review will be acknowledged in writing within five working days.

11.3 It is not normally possible to introduce new grounds for complaint at this stage, unless it relates to evidence that could not have been provided sooner

11.4 The Director of Governance and Registry Services will identify the membership of the Student Complaints Review Panel. The constitution of the Panel will be as follows:

- A Chair (drawn from the senior members of staff of the University)
- President of the Students' Union (or other Officer nominated by the President)
- A member of Academic Board (academic complaint) or a member of the University Management Group (non-academic complaint)
- Director of Governance and Registry Services or nominee (*non-voting*)
- An officer from the Governance and Secretariat Services Team (*note-taker*)

11.5 No members of the Student Complaints Review Panel will have a connection with, or will have previously advised, the student or be part of the School or Professional Services Department involved in the complaint.

11.6 The Governance and Secretariat Services Team will make arrangements for the hearing of the Review Panel at the earliest opportunity. This will normally be **within 21 working days** of receipt of the formal request for a review. The University expects the student requesting the Review to attend the hearing and requires all parties to make reasonable efforts to find a mutually suitable date within the desired timeframe. In the event that the hearing date cannot be found within the desired timeframe or has to be delayed, all parties will be kept informed as to the reasons for this.

- 11.7 All papers presented to the Student Complaints Review Panel will also be provided to the student and the relevant members of School or Professional Services Department staff to which the complaint relates.
- 11.8 The student will be invited to attend a hearing in the course of the review, as will any individual against whom the complaint is made. The student may be accompanied by a member of the University community, if he or she so wishes. The student must confirm the name and status of the person accompanying them in writing to the Governance and Secretariat Services Team no less than **four working days** before the Panel hearing. Students under the age of 18 must be accompanied by a parent or guardian.
- 11.9 On the basis that reasonable steps have been taken to find a mutually suitable date for the hearing, the University will not normally rearrange the date of a hearing due to the absence of the student. If the student is unable to attend they may nominate a representative to attend on their behalf, providing that the representative is also a member of the University community. The Chair of the Student Complaints Review Panel review will decide how the Panel will proceed with a hearing in the voluntary or unavoidable absence of the student and whether or not it will permit a proxy to be nominated to represent the complainant.

12. Stage 3: Consideration by a Student Complaints Review Panel

- 12.1 A quorum of the Student Complaints Review Panel will be two voting members including the Chair.
- 12.2 In the interest of natural justice, both the student requesting review and those responding to the complaint will normally be invited to be present at the hearing at the same time so that both parties will hear all of the evidence presented to the Panel and have the opportunity to comment on it.
- 12.3 The student may opt not to attend at the same time as the other parties and should confirm this preference in writing to appealsandcomplaints@glos.ac.uk when they receive notification of the Review Panel date.
- 12.4 The University will normally expect that if the student is happy for all parties to be present that staff members will also agree to be present. However, the University recognises that this may not be reasonable in all cases and a member of staff as well as the student may request to be heard separately by the panel if they have particular grounds for making the request. The appropriateness of an invitation for both parties to be present at the same time is a matter on which the Chair may exercise discretion depending on the nature of the case.
- 12.5 Where agreed, a student's presence at a Panel may be through virtual means such as video or telephone conferencing. This should be arranged in advance via the Governance and Secretariat Services Team at: appealsandcomplaints@glos.ac.uk.
- 12.6 The Chair will provide the Panel will an initial briefing before the student and those responding to the complaint join the meeting.
- 12.7 The student will be invited to present their case and to answer any questions of clarification. Representative(s) from the School or Professional Services Department will be invited to make an initial statement on behalf of the School or Professional Services Department responding to the complaint and will also be asked questions of clarification. If the student is accompanied by a member of the University, the representative may speak on behalf of or otherwise represent the interests of the student but may not give evidence except on matters of which he/she has direct knowledge.
- 12.8 The Panel may call any other members of staff or students it considers might assist it in reaching a decision. Any such persons shall be notified in advance of the hearing.

- 12.9 The Panel will review the evidence and reach a decision. The possible decisions arising from the hearing are:
- That the complaint is upheld
 - That the complaint is partially upheld
 - That the complaint is dismissed
- 12.10 There may be occasions on which the Panel cannot make its decision without re-convening at a subsequent date and time. In such cases, the Chair and officer of the Panel would do so in consultation with the student.
- 12.11 Considerations of the Panel will be confidential and, where necessary, its decision will be reached by ballot. The Chair will have a casting vote in the event of a tie.
- 12.12 The decision will be communicated to the complainant and all other relevant parties in writing, **normally within five working days**. If this timescale is to be extended for any reason, the student will be advised in writing. This concludes the University's internal procedures.

13. Office of the Independent Adjudicator

- 13.1 If a student has completed the University's internal Student Complaints Procedure and they remain dissatisfied with the outcome, they may be able to their complaint for review to the Office of the Independent Adjudicator for Higher Education (OIA), providing that it is eligible under the OIA's Rules.
- 13.2 Where a student has exhausted the University's internal complaints procedure, they will be issued a Completion of Procedures letter by the University. If a student chooses to refer their complaint to the OIA for review, they must do so in writing to the OIA **within twelve months** of the receipt of their Completion of Procedures letter, using the Scheme Application form. The procedures and the form are available from the Governance and Secretariat Services Team, or they can be accessed from the OIA's website: <http://www.oiahe.org.uk/>

14. Recording, Reporting and Organisational Learning

- 14.1 The University will record student complaints in sufficient, proportionate detail for analysis and management reporting to allow the causes of complaints to be identified, addressed and, where appropriate, for training opportunities and improvements to be introduced.
- 14.2 On an annual basis, an anonymised report on the number and nature of formal student complaints considered and outcomes will be presented to the Academic Board and to University Council. An annual summary report of Stage 2 complaints will also be considered by each School. This process will ensure appropriate monitoring of all complaints and related outcomes and is intended to facilitate learning from complaints.
- 14.3 The University will keep and dispose of records relating to student complaints in accordance with its [Data Protection Policy](#) and [Records Retention Schedule](#).