



University of
Chester

Student Support & Guidance

Student Complaints Procedure

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Student Complaints Procedure

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1 Introduction

- 1.1 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 of Chester believes that complaints provide useful feedback information from students and assist in improving services and facilities. The University has therefore established this procedure to deal with complaints by students.
- 1.2 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.
- 1.3 The Student Charter sets out the entitlements and responsibilities of students. If students believe they have a legitimate complaint, their first step should be to refer to the Student Charter (which can be accessed on IBIS in the Student Experience – A Companion to the Quality Standards Manual). This will clarify what may reasonably be expected.
- 1.4 Students who make complaints (hereafter 'Complainant(s)') through this procedure may do so without fear of recrimination. However, making a frivolous, vexatious or malicious complaint will be regarded as a disciplinary matter and disciplinary action may accordingly be taken against such Complainant(s) accordingly.
- 1.5 **Students who have a complaint to make should raise it directly with the staff concerned at the earliest opportunity, as matters that are dealt with informally at an early stage have the best chance of being resolved effectively. Only where the informal procedures have been completed and the complainant remains dissatisfied should the formal stage be instituted. If a student doesn't feel able to directly contact the member of staff concerned, students should seek advice from Student Welfare, Student Support & Guidance (Warrington) or the Students' Union.**
- 1.6 All complaints will be dealt with in confidence with the proviso that all necessary enquiries and disclosures must be made properly to investigate

the matters that are the subject of the complaint and to collect appropriate information from all the parties and witnesses involved. The University expects all parties to a complaint to treat the complaint and related documentation confidentially.

- 1.7 An individual against whom a complaint is made is entitled to see a copy of the complaint and to comment on it. If this presents a problem for a student who wishes the complaint to remain completely confidential, he or she is advised to discuss how the complaint might be addressed with an appropriate officer in his or her Faculty (such as the Head of Department, Dean of the Faculty) or in the Office of the Dean of Students (such as the Proctor, Dean of Students) within Student Support and Guidance.
- 1.8 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 or leave of staff that are required to deal with or respond to a complaint. Complainants will be informed if there is likely to be any extension.
- 1.9 The University is committed to ensuring equality of opportunity during the Complaints Procedure. The University will strive to accommodate and take into account 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 carried out in line with University Diversity & Equality Policies and Practice.

2. Advice and Further Information

- 2.1 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 Welfare (Chester) / Student Support and Guidance (Warrington)
 - The University Proctor
 - The Students' Union Welfare Service
 - The Faculty Office
- 2.2 Problems with your LEA/Student Loans should in the first instance be addressed to the University Student Support Funds Officer who will advise you of the action to take and will deal with any administration difficulties
- 2.3 The term 'Support Services' refers to (but is not an exhaustive list) Estates, Catering, Learning and Information Systems, Learning Support Services, Housekeeping, Recreation, Accommodation, Transport, Security, the University Nursery, Careers and Employability Service and

the range of services offered by Student Support and Guidance (e.g., Counselling, Medical Liaison, Disability Support).

- 2.4 A range of sources of guidance exists; the student is encouraged to refer to the flow diagram in Appendix 1 outlining the 4 stages of the complaint procedure.
- 2.5 Students whose first language is not English, or students with Specific learning disabilities, who require assistance with completing the complaints forms should contact either Student Welfare, Student Support and Guidance (Warrington) or Learning Support Services.

3. Scope of the Procedure

- 3.1 This procedure applies to complaints by students and former students of the University of Chester 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

- 3.2 This procedure does not cover the following, for which separate procedures exist:

- Appeals relating to examinations or assessments or to academic progress or against expulsion or exclusion on academic grounds (refer to the Student Appeals Procedure):
- Complaints involving bullying and harassment by and the conduct of other students (refer to the Student Disciplinary Procedure):
- Complaints against the Students' Union and its affiliated groups (refer to the Student Union Procedures, Student Union)
- Complaints involving Equal Opportunities & harassment by a member of staff (refer to the Dignity at Work Policy & Procedure):

Information about these separate procedures can be found at the Students' Union, Student Support and Guidance or on IBIS.

- 3.3 This procedure is available for students registered for programmes of study at the University of Chester. Students registered with the University of Chester on a programme of study delivered at another institution, should, in the first instance, use the mechanisms and procedures for the remedy of complaints or grievances which are in place within their own

institutions. Where appropriate, staff at these institutions may refer matters to the Senior Officers at the University of Chester.

- 3.4 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 submitted by a third party will not be accepted unless accompanied by written authorisation from the Complainant(s). 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 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.

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 Support and Guidance.

4 Anonymous Complaints

- 4.1 Anonymous complaints will 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.

5 Outcomes

- 5.1 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 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 and the reasons for it.
- 5.2 A determination under the complaints procedure will not of itself result in a change to an academic decision.

6. Monitoring of the Complaints Procedure

- 6.1. The Office of the Dean of Students will keep accurate and complete records of all complaints received by the department, of the consequent investigations carried out, and any correspondence which ensues. 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.

- 6.2. Papers relating to formal complaints will be held on file for three years from the date of resolution of the complaint and then destroyed.
- 6.3. An annual report will be submitted by the Office of the Dean of Students to the Student Services Committee on the nature of student complaints, with a view to the promotion of accountability and improvement in the University's services and facilities.
- 6.4. All Complainants are asked to complete the Equal Opportunities Monitoring Form, which is attached to the Complaints form. The University of Chester requests this information in order to ensure that the University is meeting its Equality and Diversity aims and objectives and legal requirements. The information provided will be treated as confidential and shall be used for statistical purposes and for directing the University's equalities policies and development.

The Complaints Procedure

7 Stage 1: Informal Local Resolution

- 7.1 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.
- 7.2 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.
- 7.3 Where a complaint is specifically about a module or programme, a Complainant(s) can also raise concerns through their relevant Staff/Student liaison committee.
- 7.4 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.
- 7.5 Complainants should normally expect to receive a response to the complaint within fifteen [15] working days of the University receiving it.

7.6 If the Complainant(s) is dissatisfied with the response at Stage 1, s/he should **pursue the matter under the formal complaints procedure.**

8 Stage 2: The Formal Complaints Procedure

8.1 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:

1. Student Support and Guidance
2. Students' Union Offices
3. Learning Resources Centre
4. University Reception
5. Registry Services Reception
6. Faculty of Studies Offices

8.2 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, complainants should state what reasonable steps they believe should be taken to resolve the complaint.

8.3 The completed form should be sent to the Office of the Dean of Students in Student Support and Guidance which will send a written acknowledgement within five [5] working days of receiving the complaint form.

8.4 Most complaints under Stage 2 should be resolved within twenty eight [28] working days of the complaint form being received.

8.5 The Office of the Dean of Students shall administer the formal complaints process and shall liaise with the relevant department/Faculty during the investigation, which will (unless paragraph 10 of this section applies) be carried out by the line Manager or Senior Manager/Dean (Investigating Officer) of the Department/Faculty concerned. A minuted meeting will be arranged between the complainant(s) and the Office of the Dean of Students and if appropriate between the complainant(s) and the Head of Faculty or manager or other appropriate authority to discuss the matter.

8.6 Complainants may, if they wish, be accompanied by a fellow student or member of staff acting as a friend or an Executive Officer of the Students' Union. A written or audio record of the meeting will be made by the Office of the Dean of Students or the Head/Manager of the relevant department concerned.

- 8.7 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 one friend or union representative), and may also interview any material witnesses. A written or audio record of the meeting will be made by the Investigating Officer.
- 8.8 The Office of the Dean of Students will notify the Complainant(s) in writing, on behalf of the Investigating Officer, of the result of the complaint and the reason for the decision. Where the result of the complaint includes consequent action or recommendations, the Dean of Faculty or Manager of the department concerned shall notify the appropriate person(s) or committee, internal or external to the Faculty/Department, without undue delay.
- 8.9 If, at the expiry of ten 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 an appeal to Stage 3 has been received, the Office of the Dean of Students will send to the Complainant(s) a Completion of Procedures letter. [form of COP should be annexed and referred to]
- 8.10 Complaints at Stage 2 should not be dealt with by persons previously involved in the complaint. Therefore if a complaint relates to the Dean of Faculty/Manager to whom it would normally be referred under this stage, the Office of the Dean of Students will arrange for it to be heard by an alternative, senior member of the same Faculty or department not previously involved in the case.
- 8.11 If a complaint is against the Dean of Students (and therefore the office of the Dean of Students) the complaint should be submitted to a Pro Vice-Chancellor as advised by the Academic Secretary & Director of Legal Services. The Pro Vice-Chancellor will make arrangements for the investigation and determination of the complaint in accordance as closely as possible with the preceding paragraphs of this section.

9 Stage 3 – Appeal to Complaints Review Panel

- 9.1 Dissatisfaction with the outcome at the formal complaint stage is not sufficient grounds for appeal to the Complaints Review Panel. The only grounds for such appeal are that:
- the Investigating Officer has not responded to all the substantive areas of the complaint; or

- there was procedural irregularity in connection with the determination by the Investigating Officer; or
 - new evidence has come to light which was not, with reasonable diligence, obtainable by the Complainant(s) at Stage 2.
- 9.2 Complainants who consider that they have any of the grounds for appeal listed in the preceding paragraph, should resubmit the complaint within 10 working days from the date of notification from the Office of the Dean of Students referred to in paragraph 8.8 to the Office of the Dean of Students, which will receive it on behalf of the Complaints Review Panel. The resubmission should set out the grounds of appeal and, if previously unavailable new evidence is relied on, explain why it was not previously obtainable. Appropriate written evidence, which would include a copy of the University's initial response and any additional evidence, should also be provided by the Complainant.
- 9.3 The Office of the Dean of Students shall administer the complaint as previously in Stage 2 and shall convene a complaint review panel. If the complaint is against the Office of the Dean of Students, arrangements for the administration of the complaint shall be made by the Director of Legal Services.
- 9.4 The Complaints Review Panel shall meet in closed session and may reject any complaint which does not fulfil any of the grounds for appeal listed above. In these circumstances the complaint will not proceed to a hearing before the Complaints Review Panel.
- 9.5 Where the Complaints Review Panel is satisfied that grounds for appeal may exist and that a hearing should be held, the Complainant(s) will be given not less than five [5] working days' notice, in writing, of the date of the hearing, which should take place within twenty eight [28] working days of the date of receipt of the appeal documentation.
- 9.6 The Complainant(s) will be invited to attend the Hearing and may be accompanied by a fellow student or member of staff acting as a friend or an Executive Officer of the Students' Union.
- 9.7 The Complaints Review Panel, served by a Secretary, will be made up of 3 members as follows:
- A member of the University Executive, unless the complaint has already been considered by an Executive member, in which case the panel member shall be a Pro- Vice-Chancellor or the Deputy Vice-Chancellor

- Either a senior member of academic staff (not from the same Faculty as the complainant, and not previously involved in the complaint), if the complaint is against an Academic Department/Faculty; or a senior member of Support Services staff (not from the same Support Service Department as the department complained about, and not previously involved in the complaint), if the complaint is against one of the Support Services; and
 - A Students' Union Sabbatical Officer or nominee of the President of the Union
- 9.8 Where the hearing is called because new, previously unobtainable evidence has come to light, the area and/or individual(s) the subject of the complaint will be given the opportunity to comment in writing on this new evidence prior to the hearing.
- 9.9 Both the Complainant(s) and the Representative(s) will be given the opportunity to make oral statements at the Hearing. Having heard all the oral presentations and questioned the Complainant(s) and the Representative(s), the Complaint Review Panel will consider all the evidence, with the secretary remaining in attendance.
- 9.10 At this stage the Chair of the Complaint Review Panel, acting on behalf of the panel, has the authority to seek further clarification.
- 9.11 The Complaint Review Panel's decision will be notified to the Complainant(s) and the Representative(s) either orally by the Chair of the Panel at the hearing or in writing within five [5] working days after the hearing by the Office of the Dean of Students. If the decision is notified orally at the hearing it will be confirmed in writing within five [5] working days after the hearing by the Office of the Dean of Students.
- 9.12 The written notification of the decision will be accompanied by a Completion of Procedures letter.

10 Stage 4 – Office of the Independent Adjudicator

- 10.1 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.
- 10.2 Guidance on OIA scheme can be obtained through the Office of the Dean of Students, Student Union, or the OIA web site: www.oiahe.org.uk

