

## Student Complaints Procedures

Yellow highlighted text identifies the most recent revisions to the regulations.

### 1. Introduction

- 1.1 The University of Worcester is committed to providing high-quality services to its students and the University welcomes comments and suggestions from students about the services it provides. Occasionally however, students may wish to make a complaint about the services they receive from the University or the Students' Union.
- 1.2 These procedures are for the use of students registered with the University or who have left the University within the last three months and define the grounds for students to bring their dissatisfaction or concern to the attention of the University and how the complaint will be investigated and heard.
- 1.3 A student must submit a complaint within three months of the incident, event or matters over which a complaint is being raised. The University will not consider complaints made outside of the three months period. Students should be aware that if there has been a significant elapse of time, it might prejudice the proper investigation and make resolving a complaint more difficult. For example, relevant staff may leave and recollections of events may be impaired over time. In dealing with a complaint the University will endeavour to meet the time limits as set out in the procedures **but if it takes longer the student will be kept informed of progress on a regular basis.**
- 1.4 These procedures are intended to encourage students to seek the resolution of complaints informally in the first instance.
- 1.5 Complaints involving a placement provider will be considered under the University's Student Complaints Procedure, however, where it would be more appropriate, the complaint may be heard under the placement provider's complaints procedure.
- 1.6 Complaints from students studying at a partner organisation will be heard initially under the partner's complaints procedure but a student will have recourse to Stage Two of the University's Student Complaints Procedure after the partner's procedures have been exhausted.
- 1.7 The University seeks to resolve all complaints through our internal processes: if a student starts legal proceedings against the University, any complaint will be paused until those proceedings are complete.
- 1.8 Collective complaints will be managed on a case-by-case basis depending on the nature of the complaint. Each individual student of the collective complaint must provide their individual details and signature as required on the Complaints Form, together with independent confirmation of their support for the complaint, and willingness to engage in the complaint process. A collective complaint will be

managed in the same way as an individual complaint, in accordance with the Procedure.

## **2. Principles**

- 2.1 No student making a complaint under these procedures, whether successfully or otherwise, will be treated less favourably than would have been the case had a complaint not been made.
- 2.2 All parties are expected to make reasonable efforts to resolve matters on an informal basis before moving to the formal stages of the process. It is in the interests of the student and the University that complaints are resolved as quickly as possible.
- 2.3 The University will deal with all complaints confidentially, and expects all parties involved (including the student) to respect this approach. Students should recognise that it may be necessary to disclose details of a complaint to other persons or organisations for the purposes of investigating the complaint and seeking an effective resolution. Unless there are exceptional considerations, any person who is the subject of a complaint has the right to be supplied with a copy of the complaint, and to comment on it.
- 2.4 In the interests of the student, the process should be simple and comprehensible. In this respect, the relationship of this procedure to others has been clarified.
- 2.5 Where a student has declared a disability to the University, the University will endeavour to ensure that information is available to them at all stages of the procedure in appropriate formats, and that any reasonable adjustments are made to the associated proceedings to accommodate the student's needs.
- 2.6 The student has the right to be accompanied by a representative, who is not acting in a legal capacity, at any meeting arranged to discuss the complaint. The representative must be a member of the University, i.e.:
  - a) a registered student;
  - b) a member of staff;
  - c) a member of staff or Sabbatical Officer of the Students Union.
- 2.7 The student making the complaint will be allowed reasonable time to seek advice for any meeting which forms part of the process.
- 2.8 Where these Procedures state that certain actions will be taken within a specified timescale, and this is not possible (e.g. because of the timing or because key information takes longer to obtain) students will be kept fully informed of the progress of their claim.

## **3. Grounds for making a complaint**

- 3.1 The following list indicates examples of the type of complaint covered by the procedure:
  - a) Dissatisfaction with the quality of supervision and tuition;

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- b) Misleading information in prospectuses or in advertising or promotional material;
- c) Deficiencies in standards of service provided by the University (including support facilities such as accommodation or administrative services);
- d) Inadequate facilities;
- e) The behaviour of a member of University staff towards a student. Such complaints may be referred to the Staff Disciplinary Procedure at the discretion of the University;
- f) Discrimination by the University on the grounds of age, disability, gender, race, faith or sexual orientation;
- g) Dissatisfaction in their dealings with the Students' Union or concern that they have been unfairly disadvantaged as a result of their choosing not to be a member of the Union.

3.2 The University will not investigate complaints which are made anonymously.

3.3 The following list indicates examples of the type of complaint that are not covered by the procedure:

- a) A request for a review of a decision of a Board of Examiners regarding student progression, assessment and/or award. This is defined as an Academic Appeal and is dealt with under the separate [Student Academic Appeals Procedure](#);
- b) The University will not investigate a complaint which is already being considered as part of a [Student Academic Appeal](#);
- c) A request for a review of a decision of the Mitigating Circumstances Committee. These are dealt with under the separate [Mitigating Circumstances procedures](#).
- d) A complaint against another student. These are dealt with under the separate [Student Code of Conduct Procedures](#) or the [Harassment and Bullying procedures](#);
- e) Complaints made by a third party on behalf of a student;
- f) Complaints about the University's admissions process. These are dealt with under the [Admissions Complaints Procedure](#);
- g) Complaints which relate to a student's suitability to practise on programmes which include compulsory integral periods of professional placement will be dealt with under the [Fitness to Practice Procedure](#).
- h) A complaint which has not been raised within three months of the incident, event or matters over which a complaint is being raised;

## 4. Informal resolution

4.1 Students are expected to raise issues at an early stage. Complaints will normally be resolved locally by the **School** concerned with, or responsible, for the matter giving rise to the complaint.

4.2 The student who has a complaint should first speak to the person who is immediately responsible for the situation or their course leader and try to resolve the cause of concern. These people are best placed to respond to the complaint and to resolve it quickly and effectively. The student must make this initial approach as soon as possible after the event or series of events, which prompted the complaint.

4.3 Where a member of staff receives a complaint they should investigate promptly and with due regard for the student's privacy and confidentiality. They should respond as soon as possible after the complaint is raised.

4.4 Complaints will not normally be considered at a higher level until it is established that the informal stage has been exhausted or cannot be practicably pursued.

**5. Stage One – Review by Head of School<sup>1</sup>**

5.1 In cases where a complaint is not resolved informally the student must put their concerns in writing using the Complaints Form<sup>1</sup> to the University's Complaints Officer who will raise the matter with the relevant Head of School. Where the complaint is about or directly involves the Head of School, the complaint will be considered by another Head of School.

5.2 For a Complaints Form<sup>2</sup> to be considered valid it must be completed in full and specify:

- a) the full name of the student;
- b) the correct student ID number
- c) reason(s) for complaint
- d) action(s) taken so far to resolve the issue
- e) desired resolution(s) of issue(s)
- g) be signed and dated by the student, unless it is impossible for the student to sign;
- h) be accompanied with the appropriate documentary evidence.

5.3 The student should keep a copy of their complaint form and any other documentation submitted for their own records.

5.4 The University's Complaints Officer will acknowledge receipt of the complaint and will forward the complaint to the appropriate Head of School within three working days.

5.5 The Head of School, after reviewing the case, may identify simple and remedial action which may be taken to remedy the complaint to the satisfaction of the student. In such cases, the Head of School will propose such action in writing to the student and submit a report to the University's Complaints Officer.

5.6 In cases where simple and remedial action cannot be taken, the complaint will be investigated by the Head of School concerned. The Head may complete the investigation based upon the written submission submitted by the student and meeting the other parties to the complaint. The Head of School may want to meet with the student to discuss their complaint in more detail. This meeting should be arranged within ten working days of receiving the complaint. At this meeting the student may be accompanied by a representative, who may participate in the

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<sup>1</sup> The Head of School or Head of Service

<sup>2</sup> Available from the Registry Services web pages: [www.worcester.ac.uk/registry](http://www.worcester.ac.uk/registry)

proceedings. Other parties to the complaint may also be invited to attend the meeting at the discretion of the Head of **School**.

- 5.7 The meeting will normally follow this format:
- a) The student will be asked to explain their complaint and present any supporting evidence, with the assistance of their representative as necessary, following which they may be asked questions by the Head of **School** and by any other parties to the complaint present;
  - b) If present, other parties to the complaint will then respond to the complaint, following which they may also be asked questions by the Head of **School** and the student. If not present, the Head of **School** will make any necessary enquiries.
- 5.8 The Head of **School** will prepare a full written response to their complaint, which will detail the nature of the complaint, the findings of any investigation carried out, the points covered in the meeting and any proposed resolution. The student should receive this written response within twenty working days after the Head of **School** has received the complaint. If this is not possible, the student will be informed in writing of the progress being made towards the consideration of their complaint and given a timescale for completion. A copy of this response should be sent to the University's Complaints Officer.
- 5.9 If the complaint is considered justified, the student will be informed of the action taken to resolve or redress the complaint. If the complaint is not upheld, then the student should receive an explanation of the reason for this decision.

## **6. Stage Two – Review by a Complaints Committee of Academic Board**

- 6.1 A student who is not satisfied with the outcome of their complaint following the review by the Head of **School** may request a final internal review of their complaint by writing to the University's Complaints Officer. The request should be made within 10 working days of receiving the outcome of the Stage One investigation or completing the internal complaints procedure at a partner organisation and clearly outline the reasons for taking matters to Stage Two. Requests for review received later than this will not be considered.
- 6.2 Where the complaint is from a student studying at a partner organisation which has initially been heard under the partner's complaints procedure, the University's Complaints Officer will acknowledge receipt of the request to review a complaint within three working days. A request for a full copy of the complaint file will be made to the partner organisation with a request that this be returned within 10 working days. If the complaint procedures at a partner organisation have not been exhausted, the complaint will not be considered under Stage Two of the University's Student Complaints Procedure and the student will be required to refer the matter back to the partner organisation.
- 6.3 The University's Complaints Officer will acknowledge receipt of the request to review a complaint within three working days and forward the complaint to the Pro Vice Chancellor, Students or the Deputy Vice Chancellor to review the complaint.

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Where the absence of one of the above may result in a delay in reviewing a complaint, alternative arrangements may be made.

- 6.4 Within ten working days of receiving the complaint, the request to review the complaint will be reviewed along with the original complaint and the associated evidence considered by the Head of **School** at Stage One or by the partner organisation under the partner's complaints procedure along with the final response prepared by Head or partner organisation. Further evidence may be requested at this stage. The outcome of the review will find either:
- a) That there are no grounds for taking the matter further. If this is the case, the student will be advised accordingly in writing. A copy of the letter will be sent to the University's Complaints Officer and a Completion of Procedures letter will be issued shortly after.
- or
- b) That there appears to be merit to case which should be easily remedied. If this is the case, the matter will be referred to the Head of **School**. The Head of **School** will review the complaint and **will either** provide a response to the student **or arrange to meet with the student to discuss their complaint in more detail** within ten working days.
  - c) That there are grounds for consideration and further investigation, where appropriate. If this is the case, a Complaints Committee will be convened by the Academic Registrar to hear the complaint. The Complaints Committee should be convened within 20 working days. If this is not possible, the student will be informed in writing of the progress being made towards the consideration of their complaint and given a timescale for completion.
- 6.5 Membership of the Complaints Committee will consist of a member of Academic Board who will chair the meeting and two further members of either Academic Board or its sub-committees. Members will be appointed in a way which ensures that none of the members will have prior knowledge of or involvement with the complaint.
- 6.6 The Academic Registrar will act as Secretary to the Committee except in cases where the complaint refers to services for which the Academic Registrar is responsible. In such cases, another senior officer will be appointed to service the Committee.
- 6.7 The student may be accompanied by a representative, who may participate in the proceedings. Other parties to the complaint may also be invited to attend the meeting
- 6.8 The guidelines for the Complaints Committee meeting will normally follow the format set out in the Appendix 1.
- 6.9 The outcome of the Committee, including details of any remedies proposed, will be sent in writing by the Academic Registrar to all parties within 10 working days of the Committee. If the complaint is considered justified, the student will be informed of the action taken to resolve or redress the complaint. If the complaint is not upheld, then the student will receive an explanation of the reason for this decision.

- 6.10 The Stage Two Complaints Committee forms the final stage of the Student Complaints Procedure, therefore, the student will be issued with a Completion of Procedures letter.

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

- 7.1 A student who is not satisfied with the outcome of the Student Complaints Procedure may request that the [Office of the Independent Adjudicator](#) (OIA) reviews the case. This may be done by completing the OIA scheme application form.
- 7.2 Where a case is considered eligible, the OIA will provide independent adjudication on the resolution of complaints, once the University's internal procedures have been exhausted.

## **8. Costs and Remedies**

- 8.1 The University will meet the reasonable costs incurred by a student in bringing a successful complaint. This will include any travelling expenses a student incurs in travelling to any committee meeting where this takes place outside semester time. It will not include costs of any legal advice the student may choose to take.
- 8.2 Remedies for complaints include, but are not limited to, an apology, recommendation for internal mediation, recommend that the case is referred for consideration by a Board of Examiners, alterations to a process or to a service provided by the University and, exceptionally, compensation for loss or damage suffered. The University seeks to ensure that any remedies proposed are reasonable and appropriate to the nature and circumstances of the complaint.

## **9. Monitoring**

- 9.1 The Complaints and Appeals Officer will make an annual report to Academic Board. Complaints will be monitored according to the gender, ethnicity, age and any disability of students.

## **10. Advice and Support**

- 10.1 If you have any queries in respect of the Student Complaints Procedure, please contact the Complaints and Appeals Officer, Registry Services.
- 10.2 The University recognises that making a complaint can be stressful and burdensome for all parties involved. Students are therefore advised to seek advice and guidance before making a complaint from the Students' Union.

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Author of the document: Kevin Pickess

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### Revision History

Committee	Date	Change
Academic Board v2.8	4 July 2018	Minor revisions [AB17-82]
Academic Board v2.7	26 April 2017	Minor revisions [AB16/38]
Academic Board v2.6	27 January 2016	Minor revisions to sections 6.3 and 6.4
Academic Board v2.5	29 April 2015	Minor revisions
Academic Board v2.4	8 October 2014	Minor revisions: 6.3, 6.4 Replace Deputy Vice Chancellor with Pro Vice Chancellor (Academic)
Academic Board v2.3	30 April 2014	Minor changes approved: 5.6 Remove the need to always meet the student 5.8 Adjust the deadlines to reflect that there may not be a meeting with a student
Academic Board v2.2	23 January 2012	Minor changes approved: 5.8 Clarify the report produced and where it is sent 6.1 & 6.2 Clarification when complaint relates to a student studying at a partner organisation. Revised various job titles.
Academic Board v2.1	25 April 2012	Minor changes approved: 2.7 New: Details of what will happen if there are delays in considering a complaint; 6.2 Add: in the case of absence alternative arrangements may be made; 6.3 Clarify what will be considered in the review and who will write.
Academic Board v2.0	7 July 2010	Revised procedure approved
Academic Board V1.2	4 February 2010	Minor modifications to the procedures
Academic Board v1.1	30 January 2008	Minor corrections and new Appendix 1 added.
Academic Board v1.0	16 June 2004	New Procedure Approved



## Appendix 1

### Procedure for Complaints being referred to a Complaints Committee

Meetings of the Complaints Committee will normally follow the following format. However, the Chair of the Committee has a general discretion over the running of the meeting according to individual circumstances. In particular, the Chair may use his or her discretion to adjourn proceedings or curtail evidence or statements in order to ensure that the meeting is conducted in an orderly and reasonably expeditious manner.

All evidence will be heard in the presence of Committee members, the student and his or her representative and the Secretary. Should any party need to leave the meeting, the meeting will be adjourned until they return.

The introduction of additional material will not be permitted unless it was not known to the student, or was unavailable, at the time of the original submission. Additional material will be admitted at the discretion of the Chair of the Committee who will, if necessary, defer the meeting to allow the new material to be considered.

The format of the meeting will normally be as follows:

- a) Private meeting of the Committee to agree on matters of process and procedure;
- b) The Student and his or her representative invited to join the meeting;
- c) The Chair will summarise the procedure to be adopted and ask if there are any procedural questions;
- d) The facts relevant to the case will be introduced by the Chair;
- e) The student will be invited to make an initial statement summarising the complaint;
- f) The Committee may then question the student;
- g) The Committee may invite staff pertinent to the complaint such as the Head of **School** to join the meeting and answer specific questions associated with complaint;
- h) The student and his or her representative will be given an opportunity to comment/raise questions of the members of staff;
- i) The student and his or her representative may then make a final statement;
- j) All parties other than the Committee members and Secretary will be asked to withdraw;
- k) The Committee will deliberate in private and come to a decision, either straightaway or at an adjourned meeting.

The Secretary will take a record of the proceedings. The formal minute of the Committee will record those present and in what capacity present, the decision of the Committee and an explanation of the reason for this decision.