

# Student Complaints Procedure 2020-2021

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## 1 Introduction

1.1 A complaint is an expression of dissatisfaction by one or more students about action or lack of action by the University, or about the standard of service provided by or on behalf of the University. The University aims to operate a fair and transparent student complaints procedure and students will not suffer any detriment by making a complaint.

1.2 Wherever possible, concerns raised by students should be resolved informally without recourse to formal procedures. If a student has a complaint about any aspect of University life, it should be raised with an appropriate person at the earliest opportunity. Faculties, schools and divisions that provide services to students should inform students who to contact in the first instance if they have a complaint.

1.3 If the student is unable to resolve the complaint informally, or is dissatisfied with the outcome, this complaints procedure shall be followed. Complaints by students with a registered disability about the provision of reasonable adjustments for teaching and assessment shall be given priority and dealt with urgently, in order to prevent prejudice to the student that might be caused by any delay.

1.4 The complaints procedure involves two stages:

(i) The Local Stage

(ii) The University Stage

1.5 Students may raise complaints jointly.

1.6 Complaints must be brought promptly. The University will not accept complaints that are made longer than 90 days after the matters complained about, unless there is good reason for the delay.

1.7 Any registered student may bring a complaint under this procedure. A former student may also bring a complaint under this procedure within 90 days after the matters complained about, but only if the complaint could not reasonably have been brought while he or she was a registered student.

1.8 Anonymous complaints may only be accepted at the discretion of the University Secretary.

1.9 Complaints about decisions of an academic body on student progress, assessment and awards may not be brought under this procedure and may only be raised under the academic appeals procedure set out in the Examination Regulations. Complaints about teaching and supervision will not be considered in an academic appeal unless they were raised by the student promptly at the time they first arose and pursued under this procedure.

1.10 Claims for compensation for personal injury cannot normally be brought under this procedure, but may be accepted at the discretion of the University Secretary.

## **2 Early Resolution**

2.1 It is expected that a person to whom a complaint is brought informally should seek to resolve any concerns that have been raised. If following discussion of the concerns, or where the concerns raised involve interpersonal relationships, he or she considers it appropriate, he or she may recommend that a facilitated discussion takes place or that the matter is referred to [mediation](#). Both of these are voluntary and will only take place if all parties agree. However the University encourages the early resolution of issues through these means where appropriate.

2.2 Where appropriate, the person to whom a complaint is brought informally may refer the concerns to be dealt with under the [Acceptable Behaviour Policy](#) or the appropriate disciplinary procedures.

## **3 The Local Stage**

3.1 Where early resolution of the complaint is not possible, the student may invoke the Local Stage by completing a [Complaint Form](#) and submitting it to the Student Complaints and Mediation Manager (0117 394 1820, internal extension 41820, email [student-complaints@bristol.ac.uk](mailto:student-complaints@bristol.ac.uk)). The Student Complaints and Mediation Manager will act impartially and will be able to give advice to students about any procedural matters. Students may also obtain advice from the Students' Union as set out in section 8 of this procedure.

3.2 The Complaint Form should set out details of the complaint and state the remedy sought. Any evidence on which the complaint is based should be submitted with the Complaint Form.

3.3 On receipt of the Complaint Form the Student Complaints and Mediation Manager will refer the complaint to an appropriate person for consideration at the Local Stage. In the case of complaints relating to academic matters, this will normally be the Faculty Education Manager or Faculty Education Director. Complaints about other services will be referred to an appropriate member of staff in Professional Services. In some cases, the Student Complaints and Mediation Manager may be able to resolve the student's complaint without recourse to the Local Stage.

3.4 The person considering the complaint at the Local Stage may decide to meet with the student to discuss the complaint. If so, the student may bring an adviser, friend or representative to the meeting.

3.5 The outcome of consideration at the Local Stage will be conveyed to the student in writing. The University aims to complete the Local Stage within 30 days of the submission of the complaint.

## **4 The University Stage – Complaint Review Panel**

4.1 If it has not been possible to resolve the complaint at the Local Stage or if the student remains dissatisfied with the outcome, he or she may request that the

complaint is progressed to the University Stage.

4.2 The student should make the request in writing to the Student Complaints and Mediation Manager within ten working days of receipt of the Local Stage outcome.

4.3 Upon receipt of the request, the Student Complaints and Mediation Manager shall refer the complaint to a Complaint Review Panel. The University aims to convene the Review Panel within 30 days of the student's request to the Student Complaints and Mediation Manager.

4.4 The Complaint Review Panel shall normally consist of three senior members of University staff who have had no prior involvement with the complaint. The proceedings of the Review Panel will not involve a hearing.

4.5 The Review Panel will consider the complaint and may:

- a) ask the parties to reconsider any decision not to enter into mediation;
- b) refer the matter back to the Local Stage or to another appropriate person with an instruction or recommendation for resolution. If the instruction or recommendation is not carried out, the student may refer the matter back to the Review Panel for reconsideration;
- c) dismiss the complaint, giving reasons, and issue a Completion of Procedures letter;
- d) recommend that a Committee of the Board of Trustees be appointed to hear the complaint.

4.6 The University Secretary will appoint a clerk to the Review Panel. The role of the clerk shall be to prepare the documentation, take a note of the Panel's deliberations and advise the Panel on the applicable regulations and procedures. The outcome of consideration by the Review Panel will be conveyed to the student in writing.

## **5 The University Stage – Committee of the Board of Trustees**

5.1 If the Review Panel recommends that a Committee be appointed to hear the complaint, the Board of Trustees will appoint a Committee, which shall normally consist of three members and which may include among its members Trustees, University staff who are not Trustees, and persons from outside the University. At the request of the student, the Board of Trustees may appoint a Students' Union officer as an additional member. In the event of the Committee being divided in its view, the Chair will have a casting vote.

5.2 The University Secretary will appoint a clerk to the Committee. The role of the clerk is to assist the Committee by collating the evidence, preparing the documentation, making arrangements for the hearing, taking a note of the proceedings and advising the Committee on the applicable regulations and procedures.

5.3 The clerk may on behalf of the Committee ask for written witness statements or documents such as medical certificates to be produced in advance of a hearing. The student will be entitled to see all statements and documents seen by the Committee.

5.4 The student is entitled to be present at hearings of the Committee, and to be accompanied by an adviser, friend or representative. The Students' Union employs student advisers who may be asked to act in this capacity. If a complaint is being made against a particular person, he or she is also entitled to attend hearings and to be accompanied by an adviser, friend or representative. In the event that either party is without good reason unable to attend, the hearing will either be held in that party's absence or rescheduled. If the party concerned has good reason for non-attendance the hearing will be rescheduled.

5.5 The order of any hearing will be at the discretion of the Committee, which may ask for enquiries to be undertaken and witnesses to attend. The Committee may ask questions of anyone present. The student will be given a full opportunity to state his or her case, and will be able to address the Committee at the conclusion of any evidence that has been presented.

5.6 The Committee will report to the Board of Trustees, setting out its findings and any recommendations, and a copy of the report will be sent to the student and to any person against whom the complaint was made.

## **6 Confidentiality**

If information is to be kept confidential, the student should make this clear to the person to whom a complaint is made. Students should understand that in exceptional circumstances it may be difficult for confidentiality to be respected, for instance where a criminal offence has been disclosed. Students should also understand that in some circumstances the demand for confidentiality may make it difficult for the University to assist them with their complaint.

## **7 Nominees**

Unless the context indicates otherwise, an Officer of the University may act through his or her nominee.

## **8 Support from the Students' Union**

The Students' Union offers support to students who are encountering difficulties, and the Union can raise issues which affect a number of students at one of the regular meetings of the University's Student Affairs Committee. The Union also provides a free and confidential student advice and representation service available at <http://www.bristolsu.org.uk/justask>.

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

If the student is still dissatisfied, he or she may take the case to the Office of the Independent Adjudicator for Higher Education, which provides an independent scheme for the review of student complaints. The OIA will consider cases only when the University's own internal complaints procedure has been exhausted. It will not intervene on matters which turn purely on academic judgment.

Further information about this scheme is available at [www.oiahe.org.uk](http://www.oiahe.org.uk).

### **10 Quality Assurance Agency for Higher Education (QAA)**

The QAA Concerns Scheme was set up to investigate concerns about how higher education providers manage their academic standards, the quality of learning opportunities, and the information that they make available about their provision. It does not resolve individual complaints against providers and is unable to provide redress or compensation to any individual submitting a complaint. However, the QAA can look at individual complaints for evidence of broader failings in the management of academic quality and standards, and where it considers that these indicate serious systemic or procedural problems, it will investigate them as concerns. The aim of an investigation by the QAA under the Concerns Scheme is to safeguard and improve the overall quality of UK higher education by addressing weaknesses within a particular higher education provider. Students seeking individual redress or compensation should contact the OIA.

*Last amended July 2019*