

**UNIVERSITY OF BATH**

**STUDENT COMPLAINTS POLICY AND PROCEDURE**

**1. Introduction**

1.1 The University welcomes feedback in respect of the services it provides, and believes that students are entitled to have access to effective systems for handling complaints to ensure the University provides the highest possible academic and service standards. Students should feel able to make a complaint, knowing that it will be fairly investigated.

1.2 Detailed below is the three stage process the University has adopted for dealing with students' complaints, which is intended to provide a clear means of resolution to the satisfaction of all parties.

**2. Definitions and scope**

2.1 The University defines a student complaint as an expression of dissatisfaction levelled by a student against a service or facility of the University. For the purpose of this procedure a student is defined as an applicant who has been accepted to study at the University, a student registered for an award of the University, or an alumni who has been registered with the University within the last four months.

2.1.1 Examples of what can be complained about under this policy include the following:

- An academic or other University service
- Information about academic or other University service
- Teaching or supervision
- Facilities

2.1.2 Issues covered by other specific procedures will not be dealt with under this policy. For example:

- Academic Appeals and Reviews, the procedures for which can be found in Section 17 of the Student Regulations.
- Complaints relating to services provided by the Students' Union, which should be pursued with the Student's Union in the first instance.
- Complaints relating to franchise, validated or partner institution provision, should the Institutional Agreement allow, will be dealt with according to the franchise, validated or partner institution's procedures, unless they relate to a University service. Where the complaint is not resolved at this level the student may request a review by the Director of Policy, Planning and Compliance, under Stage 3 of these procedures.
- Complaints relating to University accommodation, which should be submitted under the Accommodation Services' own complaints procedure. Where the complaint is not resolved at this level the student may request a review by the Director of Policy, Planning and Compliance (or nominee) under Stage 3 of these procedures.
- Complaints relating to the service provided by Westwood Nursery, which has its own complaints procedure.

2.2 Complaints about any form of discrimination, bullying, harassment or victimisation will be dealt with as follows:

- Informal complaints made about the behaviour of a student will be managed under the informal stage of the University's Dignity and Respect Policy and Procedure.
- Formal complaints made about the behaviour of a student will be managed under Regulation 8, the Student Discipline Procedures, following the principles of the Dignity and Respect Policy and Procedure.
- Informal complaints made about the behaviour of a member of staff will be managed under the informal stage of the University's Dignity and Respect Policy and Procedure.
- Formal complaints made about the behaviour of a member of staff will be managed under the Staff Disciplinary Policy (or Statute 25 Part III for academic or other specified staff), following the principles set out in the University's Dignity and Respect Policy and Procedure.
- The Dignity and Respect Policy and Procedure can be found at: <https://www.bath.ac.uk/publications/the-dignity-respect-policy/>

### **3. General Principles of Student Complaints**

3.1 The University seeks to minimise student complaints by ensuring that students have opportunities to participate in all the appropriate formal decision-making processes of the institution through representation on committees at programme, departmental, faculty and institutional levels. The University is committed to the continuing review and improvement of its provision and seeks regular feedback from students through Staff/Student Liaison Committees, evaluation questionnaires and user groups. The University is also committed to providing an environment within which students are encouraged to raise any matters of concern in an informal manner (see paragraph 4.2) as soon as they arise. This often removes the need for formal complaints.

3.2 Students are encouraged to raise a concern or complaint as soon as possible after the event has taken place, and normally no later than four months from the date the initial issue or event occurred, to enable the matter to be addressed in a timely manner.

3.3 A group of students may use this procedure to make a collective complaint, provided that one student identifies themselves as the main contact for purposes of communication.

3.4 The University recognises that making a complaint can be stressful. Students are therefore advised to seek advice and support before making a complaint from Student Services or from the Students' Union Advice and Support Centre. If you are raising a concern about a service you have received from the University, Student Services can also arrange mediation to help you to resolve the issues, where mediation is appropriate.

3.5 Research Postgraduates who have a complaint in respect of an academic matter may approach the University Independent Advisor for Postgraduate Research Students for support and guidance. Further details can be found in the Postgraduate Guide: <https://www.bath.ac.uk/guides/doctoral-representation/> . For non-academic matters, Research Postgraduates are encouraged to contact the SU Advice and Support Centre, or Student Services for advice and support.

3.6 As far as possible, matters raised as a complaint will remain confidential to those directly involved in investigating the complaint, providing a response to it and communicating with the student, unless there is a serious risk of harm to the student or to others. However, in the interests of natural justice, parties to a complaint have the right to know the full details of the complaint or, in exceptional circumstances, only those details which need to be shared to enable a proper response to be made.

3.7 In order to ensure that a thorough investigation of a complaint is made, the University expects to be able to collect appropriate information from all the parties involved. Anonymous complaints will therefore not be accepted. There are other routes (such as the Students' Union or Staff/Student Liaison Committees) where a concern can be raised anonymously if required.

3.8 Those investigating or adjudicating upon a complaint at any stage of the procedure will do so impartially. Anyone with a material personal interest in the complaint will neither investigate nor adjudicate.

3.9 Where a deficiency in provision or process is acknowledged, a complaint may be addressed by offering an apology or an acceptable explanation for the deficiency, by undertaking to implement future improvement, or by a mutually acceptable course of action to address the individual circumstances of the case.

3.10 If the complaint affects a service that the Head of Department / Service has directly provided, advice should be sought from the Director of Policy, Planning and Compliance (or nominee) regarding to whom the complaint should be submitted. If the complaint directly affects the Director of Policy, Planning and Compliance (or nominee), the role of the Director of Policy, Planning and Compliance at Stage 3 would be taken by a Pro-Vice-Chancellor.

3.11 Students will not be disadvantaged as a result of raising a matter of concern or of making a complaint, provided it is made in good faith. Where a complaint is shown to be vexatious, the complaint shall be rejected and disciplinary action may be taken.

3.12 If the student raising the complaint is currently registered as a student at the University of Bath, The University will use a student's University email account to communicate with them throughout this process. If the student raising the complaint has not yet registered, or is within four month of their last date of registration, the Student Casework and Compliance Manager will agree with that student the best contact details to use for the purposes of communication.

#### **4. Complaints Procedure**

4.1 The three stage complaints procedure is as follows:

##### **Stage 1 - Informal Complaint**

4.2 It is expected that most complaints can be resolved at an early stage by discussing the matter informally at a local level. A student should therefore bring the matter to the attention of an appropriate member of staff, who will aim to resolve the matter by informal discussion.

For example, if the complaint concerns academic matters, a student might wish to take this up with their Personal Tutor / Research Supervisor / Director of Studies, or with another member of academic staff. If the complaint is about a University service, then the student should talk to an appropriate member of staff from that service. If there is any doubt regarding who to contact, or if the student feels it is more appropriate, the Head of Department or Service should be contacted.

4.3 Recipients of informal student complaints are responsible for addressing them promptly and fairly. The recipient will normally let the student know (or arrange for a colleague to do so) within five working days of receiving the initial complaint what steps (if any) will be taken to address the complaint and the expected timescale, and advise to whom they should submit a formal complaint if they are dissatisfied with this outcome.

4.4 It should be noted that this stage will normally be an informal oral process (or via email if face to face contact is not possible), but where proportionate to do so any agreed action should be confirmed (normally by email).

4.5 Any staff involved will be encouraged to share the experience where the effectiveness of their Department or Service could benefit. It is expected that the majority of complaints will be resolved in this way.

## **Stage 2 – Formal Complaint**

4.6 If a student has attempted to resolve matters informally but is not satisfied with the outcome, they may elect to proceed to the next stage by submitting a formal complaint within fourteen calendar days of receiving the outcome of their informal complaint. A student may also submit a formal complaint if the issue involved is too complex or serious for informal resolution. At this point, students may wish to seek advice from Student Services, the Students' Union or the University Independent Advisor for Postgraduate Research Students on how best to progress their complaint. The student should submit their complaint by means of a Student Complaint Form to [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk). Please copy in the Head of the Department or Service concerned if known. The [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk) email address is monitored by the Student Casework and Compliance Manager.

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

4.8 The student should receive an acknowledgement of receipt of their complaint, from the Student Casework and Compliance Manager (or nominee), within five working days of receipt. The Student Casework and Compliance Manager (or nominee) will also notify the Director of Academic Registry and Director of Student Services of the complaint. The Director of Academic Registry and / or the Director of Student Services may at this point contact the relevant Head of Department or Service should they feel it would be appropriate for them to become involved in the investigation of the complaint. In any event, the Head of Department or Service is free to consult either post holder if they consider it appropriate.

4.9 The complaint will be investigated by the Head of Department or Service concerned (or their nominee) or by a nominee of the Director of Policy, Planning and Compliance if the Head of Department has had involvement in the matters complained about. They will normally arrange to meet with the student to discuss their complaint in detail.

4.10 At this meeting the student will have the right to be accompanied by a friend or advisor as will any other parties to the complaint. Where a member of staff is party to the complaint, they can be accompanied by a work colleague or Trade Union representative. Other parties to the complaint may also be invited to attend the meeting, or may meet separately, at the discretion of the person investigating the complaint as is appropriate to the nature of the complaint.

4.11 If a student fails to attend the meeting (which could be by video or telephone call if both parties are not present at the University), the Department will contact them to reschedule. If a student fails to attend a rescheduled meeting within fourteen days of the original meeting date, the investigation may continue and be concluded in their absence.

4.12 The meeting will follow this format:

- 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 Department / Service (or their nominee), and by any other parties to the complaint present;
- If present, other parties to the complaint will then respond to the complaint, with the assistance of their companion(s) as necessary, following which they may also be asked questions by the Head of Department / Service (or their nominee) and the complainant. If not present, the Head of Department / Service (or their nominee) will make any necessary enquiries.

4.13 The staff member who carried out the investigation will produce a report which outlines the process followed, the information gathered, the conclusions drawn and any recommendations. The student or their representative should receive copies of the information considered and a copy of the investigation report.

4.14 The student should receive this written response within sixty calendar days following both a submission of a student complaint form and confirmation by the complainant that they wish a formal investigation to begin. 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. In either event, the Director of Student Services, the Director of Academic Registry and [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk) should receive a copy of the correspondence.

4.15 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.

### **Stage 3 - Review by the Director of Policy, Planning and Compliance (or nominee)**

4.16 If the student is not satisfied with the decision taken in respect of their complaint under Stage 2 above, they may request that a review of the case be carried out by the Director of Policy, Planning and Compliance or nominee, ~~usually the Deputy Director (Academic Governance & Compliance)~~. Such a request should be by submitting a Request for Review form to [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk) within fourteen calendar days of the student being notified of the outcome of Stage 2. The request should state the grounds for review, which should meet one of the following criteria:

- That there was procedural error in the conduct of the investigation of such a nature as to cause doubt as to the determination reached;
- That new evidence has been made available which the student could not reasonably have provided during the investigatory process;
- That there was bias during the procedure of such a nature as to cause doubt as to the determination reached;

4.17 If the Director of Policy, Planning and Compliance or nominee is satisfied that a review is justified, he / she will have discretion to either:

- Make a judgement on the complaint based on the written evidence; or
- Establish a Review Panel to examine the evidence and come to a judgement on the complaint. The Review Panel will normally comprise one lay member of Council and two members of staff chosen by the Director of Policy, Planning and Compliance or nominee, of which he / she may be one. All members of the Review Panel will have had no previous association with the case.

4.18 When undertaking a review, the Director of Policy, Planning and Compliance (or nominee) or the Review Panel has the power to overturn any decision made under Stage 2 of this procedure.

4.19 If a Review Panel is established, the student will have the right to attend a meeting to explain their complaint and be accompanied at this meeting by one person (for instance, a representative of the Students' Union) as will any other parties to the complaint. Those accompanying shall not normally be professional legal representatives, and in the case of members of staff, will either be a work colleague or Trade Union representative. Other parties to the complaint, and / or their companion, may also be invited to attend the meeting on the same basis at the discretion of the Director of Policy, Planning and Compliance (or nominee).

4.20 Students will be notified of this meeting in writing, and this notification will include:

- the date of the meeting and an explanation of what the student needs to do if they cannot attend on that date, or does not wish to attend
- the names of the panel members and their job titles
- the names of anyone else attending the meeting and what their role will be
- an outline of how the meeting will proceed
- copies of relevant documents

4.21 Meetings of the Review Panel will follow this format:

- The Student will be asked to explain their complaint and present any supporting evidence, with the assistance of their companion as necessary, following which they may be asked questions by the Panel, and by any other parties to the complaint;
- The other parties to the complaint will then respond to the complaint, with the assistance of their companion as necessary, following which they may also be asked questions by the Panel and the complainant.
- Both parties will be asked to sum up, following which the Review Panel will come to a judgement on the complaint.

4.22 If the Director of Policy, Planning and Compliance (or nominee) makes a judgement on the complaint based on the evidence already in his/her possession, or if a Review Panel is convened, the student will be notified of the outcome in writing normally within thirty calendar days of submitting a request for review. If the complaint is upheld the student will be informed of any action to be taken to resolve the matter. If the complaint is not upheld, the student will be informed of the reason for this decision, and the University will also issue a Completion of Procedures letter to the student stating that the University's internal complaints procedures have been exhausted.

4.23 If the student does not submit a request for review within the 14-day timeframe, they will be issued with a Completion of Procedures letter within 28 days.

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

5.1 If the University's internal procedure has not resulted in the resolution of a complaint to the student's satisfaction, they have the option to pursue it with the Office of the Independent Adjudicator for Higher Education (OIA). Where a case is considered eligible, the OIA will provide independent adjudication on the resolution of complaints, once the institution's internal procedures have been exhausted. The Students' Union's Advice and Support Centre can advise on this external review process. The OIA website can be found at: <http://www.oiahe.org.uk>.

## **6. Monitoring**

6.1 Heads of Department / Service will keep a record of all formal student complaints received, decisions made and resulting outcomes.

6.2 Boards of Studies will receive an annual summary of the formal complaints submitted within their Faculty / School so that experiences can be shared, and where appropriate changes to procedure / practice made to ensure the University meets the highest possible standards. This information will then be forwarded to the Department of Policy, Planning and Compliance.

6.3 Professional Service Heads of Department / Service should consider an annual meeting to review all complaints received in order to identify common themes and improve the service offer. Professional Service Heads of Department / Service will supply an annual return direct to the Department of Policy, Planning and Compliance.

6.4 An annual report summarising all formal student complaints received by the University shall be submitted to the Council / Senate / Students' Union Committee for consideration and reported to Senate and Council.

6.5 The details of those students raising complaints will be checked against information held centrally by the University to enable equality monitoring to take place.

6.6 Any issues highlighted through the complaints process will be noted and referred to the relevant manager in order to improve the student experience.

6.7 The effectiveness of these procedures will be reviewed and if necessary updated on a regular basis.

## **7. Further Enquiries**

7.1 If you have any queries in respect of the Student Complaints Procedure, please contact Department of Policy, Planning and Compliance (Email: [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk), telephone: 01225 385464).

## 8. Alternative Formats

8.1 If you require this policy in an alternative format please contact the Department of Policy, Planning and Compliance. (Email: [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk), telephone: 01225 385464). Students who wish to submit a complaint and require documents in alternative formats should indicate this when making the complaint.

Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.

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