

# UNIVERSITY OF BATH

## STUDENT COMPLAINTS POLICY

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### Purpose

The purpose of this policy is:

- To ensure there is a clear, fair, and effective process for the University of Bath to handle student complaints, in line with our responsibilities under Consumer Protection Law.

This policy aims to:

- Ensure that where issues arise resolution is sought promptly and to the satisfaction of all parties, whenever possible or appropriate.
- Ensure the University of Bath is a responsive organisation that welcomes feedback and learns from complaints to improve our academic provision, service standards and the student experience.

### Scope

A student complaint is an expression of dissatisfaction raised by a student (or group of students) about:

- Something the University has done or has not done or
- The standard of service provided by the University (or on our behalf)

A student can raise a complaint under this policy if they are:

- An applicant who has been accepted to study at the University or
- A registered student at the University or
- A former registered student whose leaving date is within the last six months or
- A student currently registered on a programme of study at a franchised, validated or partner institution. (Where the complaint meets the definition within this policy and could not be resolved through the partner institution complaints policy, it may be reviewed under the appeals stage of this policy.)

Normally, a complaint should be raised no later than six months after the date the initial issue occurred. In exceptional circumstances, we may accept a complaint outside the normal time limit, if there is evidence to support a reason for the extension of the deadline.

Anonymous complaints will not usually be accepted. In exceptional cases anonymous complaints may be considered if there is a compelling case supported by considerable evidence.

The University will not penalise any student for raising a complaint they are genuinely concerned about, even if the concerns turn out to be misplaced. However, if a complaint is shown to be vexatious, disciplinary action may be taken. A vexatious complaint is a complaint that is made with the purpose of causing disruption, or distress or detriment to

the subject of the complaint. A complaint may also be rejected if it is deemed to be trivial, or where the student is looking for a resolution that lacks any serious purpose or value.

In some instances, an issue raised may be covered by another specific University procedure. Where this is the case, the student will be advised at the start of the process.

### **Policy interactions**

Sometimes, issues are raised that do not fall neatly into the category of just one University policy. Where this is the case, the University will be flexible in its approach of application of policy on a case-by-case basis. The Deputy Director (Student Policy & Safeguarding) will jointly determine with other relevant Heads of Services whether it's better to use one process after the other (and in what order), to run them at the same time, or to apply the processes more flexibly. It will be explained to all relevant parties how the matters will be investigated, who will coordinate the process, and who will issue the final decision.

### **Stages of the Complaints Process**

The complaints process will have no more than three stages:

- Early resolution at the local level, where this is possible
- Formal resolution stage
- Appeal stage

This is to allow issues to be resolved as efficiently as possible and at the appropriate level.

Once a formal resolution process is initiated, the process will normally be concluded within the following timeframes:

- 60 calendar days from the receipt of the Student Complaints Form, beginning the formal stage.
- An additional 30 calendar days (90 days total) if an appeal stage is used.

If it is anticipated that the process will take longer, those involved will be informed in writing and provided with an amended timescale and reasons for the variance.

The Student Complaints Procedure (<https://www.bath.ac.uk/guides/student-complaints-policy-and-procedure/>) provides further information.

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

Once all stages of the University's Complaints process have been completed, if the student is not satisfied with the resolution of their complaint, they have 12 months to pursue their complaint with the Office of the Independent Adjudicator for Higher Education (OIA). If the complaint is eligible to be considered by the OIA they will independently review the matter.

### **Procedural Fairness**

The Student Complaints Procedure will follow the principles of natural justice. For this policy, this means that both the complainant and any persons responding to the complaint will have fair opportunity to present their case and respond to what the other has said. Normally, the identity of the complainant and details of their complaint will need to be

shared with those involved with responding to the complaint. In some circumstances, sensitive and confidential information may be redacted.

No person with a conflict of interest will be asked to investigate or make a decision relating to the case. A conflict of interest occurs when an individual's professional or personal interests – family, friendships, financial, or social factors – could compromise their ability to apply judgement or act fairly and objectively. A conflict of interest can be actual or perceived.

### **Support for Students**

We understand that it can take courage to raise a complaint and are committed to the process being as empathetic and supportive as possible. Students will be made aware of, and actively encouraged to engage with, the support options that are available to them throughout the process.

We understand that some students may need additional arrangements to fully access this process. Any reasonable adjustments will be considered and put in place where possible.

### **Roles and Responsibilities**

**Senate** is responsible for:

- The Student Complaints Policy and approving any amendments to it.

**The Deputy Director (Student Policy & Safeguarding)** is responsible for:

- Overseeing the effective application of the Student Complaints Policy, and its interaction with other student safeguarding policies.
- Overseeing and implementing the associated Student Complaints Procedure.
- Reporting to Senate annually on complaints received, outcomes, common themes and recommendations to improve service standards and academic provision.

Any of the functions of the Deputy Director (Student Policy & Safeguarding) under this policy may be delegated to a member of the Student Support & Safeguarding Leadership Team.

**The Student Casework Team** is responsible for:

- The operational delivery of the Student Complaints Policy and Procedure.

**The Head of Department/Service** is responsible for:

- Allocating student complaints related to their department/service area to an appropriate member of staff to investigate. (They may choose to lead the investigation themselves.)
- Assigning actions to relevant staff where complaint investigations result in recommendations related to their department/service area.
- Confirming to the Student Casework Team once the recommendations have been actioned.

**The Investigator** is responsible for:

- Investigating a complaint, including meeting with the complainant/s and others involved where relevant.
- Producing an investigation report of their findings and recommendations.
- Coming forward if they believe their involvement constitutes a conflict of interest.

**A selected member of the University Executive Board will be** responsible for:

- Overseeing the investigation of complaints that relate to the Deputy Director (Student Policy & Safeguarding) or the Head of Governance

**The Complainant** (the student/s making the complaint) is responsible for:

- Giving notice of whether they can/cannot attend meetings and if they are bringing someone with them to the meeting.
- Notifying the Student Casework Team if they have any additional needs to be able to engage fully in the Complaints process or if they believe anyone involved in handling their complaint has a conflict of interest.

**All University staff** are responsible for:

- Being aware of and ensuring they understand the University's Student Complaints Policy and Procedure, as a student may raise a concern or complaint with any member of staff.
- Addressing informal student complaints promptly and fairly, where appropriate
- Ensuring that any learning from complaints, at any level, is fed back into their professional areas to inform change and drive improvements.

### **Monitoring and Record keeping**

All formal complaints received, decisions made and resulting outcomes will be recorded and an annual report provided to Senate, and its relevant committees. Where there are several complaints regarding a Service, School, or Department, these will also be raised with the Head of Department/Service or other relevant staff to improve student experience.

All records taken under this policy will be held for the recommended period of time for which records should be retained to comply with legal requirements and meet operational needs as defined with the University Records Retention Schedule (<https://www.bath.ac.uk/corporate-information/records-retention-schedule/>).

If you have any feedback on this policy, or on your experience of this policy or process, please email [studentpolicy@bath.ac.uk](mailto:studentpolicy@bath.ac.uk).

**Document Control Information**

Any such amendments are identified above and will take effect from the date shown.

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