

STUDENT COMPLAINTS POLICY

1 The University of Law's Student Complaints Policy has been informed by the Office for Students Sector-Recognized Standards and the General Ongoing Conditions of Registration and has regard to the UK Quality Code for Higher Education. These definitive reference points for all English higher education institutions set out how academic standards are established and maintained and how excellence in the quality of learning opportunities is assured.

This policy sits within The University of Law's Quality and Standards Code, which provides a suite of policies designed to safeguard the academic standards of The University of Law and to assure the quality of learning opportunities offered; this policy should therefore be read in conjunction with other relevant policies within the code.

Introduction

2 The University of Law recognises that central to this policy is the University's responsibility for the academic standards of all awards granted in its name and the quality of learning opportunities for students. For the purposes of this policy, a student is defined as anyone who has accepted a place at the University, is currently studying at the University, or is a past student of The University.

3 For the purposes of this policy a complaint is defined as the expression of a specific concern, or dissatisfaction about the quality of learning opportunities, or the provision by the University of a programme of study or related academic or administrative service, other than liability for course fees. However, the Student Complaints Policy is not a substitute for the regular process of open communication and student feedback, which occurs before, during and after programmes of study. The University aims to resolve complaints quickly and simply.

4 For the purposes of this policy, a concern is defined as a comment, either in conversation, writing or via social media, on the learning opportunities or student experience. When a concern is raised, it can represent the first stage of a complaint if left unaddressed.

5 It is anticipated that the majority of complaints are resolved at the first (informal) stage, or at the initial concern stage, with relatively few progressing to the second (formal) stage.

6 This policy sets out the key principles and procedures which cover concerns and complaints about the quality of learning opportunities or the provision of a programme of study or related academic or administrative service.

7 This policy **does not** cover:

7.1 Appeals against the decisions of Examination Boards or issues related to academic judgement, final results or concession applications (these are dealt with under the Academic Reviews and Appeals Policy);

- 7.2 Appeals against decisions taken under disciplinary proceedings (these are dealt with under the Student Discipline Policy and Regulations);
- 7.3 Appeals against contractual fee liability where there are mitigating circumstances that can be dealt with under the Fee Appeal process (where fee liability is being appealed against due to service issues or University communication, these can be investigated under this policy);
- 7.4 Appeals against decisions taken regarding Disability Support provisions (these are dealt with under the Disability Support Review process.
- 7.5 Complaints or concerns which are dealt with under the University's Dignity at Work and Study Policy and Procedures,

8 Any queries about the process and what is or is not covered by this policy should be directed to complaints@law.ac.uk.

9 This Policy may be used for both individual concerns or complaints and collective concerns or complaints. However, it is anticipated that collective concerns or complaints are normally more appropriately addressed via the student representative system. Individual students participating in a collective complaint are not eligible under this Policy to pursue an individual complaint about the same issue.

Responsibility for this policy

10 Ultimate responsibility for the development of clear and effective processes and procedures associated with the maintenance of standards and quality assurance of academic provision and overseeing their application lies with the Academic Board.

Expectation

11 The University has procedures for handling academic appeals and student concerns and complaints about the quality of learning opportunities, or the provision of a programme of study or related academic or administrative service; these procedures are fair, accessible and timely, and enable enhancement.

Key Aims and Principles

12 The University follows these Key Aims and Principles:

- 12.1 *Transparency* – the University provides details of who is responsible for dealing with the complaint at each stage of the process, and also provides information on what action can be taken if the resolution is unsatisfactory;
- 12.2 *Speed* – the University sets appropriate timescales for each stage of the process;
- 12.3 *Impartiality* – the University ensures that no person who has any direct interest in a complaint is involved in deciding its outcome – at the initial investigation or the review stage;
- 12.4 *Non-detriment* – the University ensures that no student suffers any disadvantage for having made a complaint in good faith – regardless of its outcome;
- 12.5 *Accessibility* – the University ensures that all students are able to access this Policy, regardless of disability or domicile;
- 12.6 *Enhancement* – the University ensures outcomes of concerns, complaints and appeals support the ongoing enhancement and improvement of student learning opportunities by learning from our processes.

Procedural approach

Responsibility

- 13 **The University's** responsibility is to:
 - 13.1 follow the Key Aims and Principles as shown above;
 - 13.2 make students aware of its Student Complaints Policy;
 - 13.3 acknowledge any formal complaint or request for review in writing and respond within a stated period of time, the entire complaint being resolved within 90 days of first receipt, where possible;
 - 13.4 deal reasonably and sensitively with the complaint, including allocating the appropriate individuals to investigate the complaint;
 - 13.5 take action where appropriate;
 - 13.6 ensure that an accurate record is kept of any formal complaint and the outcome;
 - 13.7 monitor and evaluate all complaints.
- 14 **The student's** responsibility is to:

- 14.1 approach an appropriate member of staff to discuss any complaint informally with the aim of resolving the issues before bringing a formal complaint. This may be a member of staff who the student knows on either an academic or pastoral basis;
- 14.2 bring any formal complaint, in writing, to the University's attention promptly through the University Complaints Officer (the student must submit the complaint themselves, unless they are unable to do due to accessibility reasons or mitigating circumstances);
- 14.3 explain the complaint as clearly and as fully as possible, including any action taken to date;
- 14.4 have read all pre-programme and on-programme terms and conditions as appropriate;
- 14.5 allow the University a reasonable time to deal with the matter.
- 14.6 engage with all University staff members during their complaint in a collegial and professional manner, in accordance with the Student Charter and Student Code of Behaviour.

Procedures for dealing with Informal Complaints

15 The student should in the first instance, and as early as possible, contact the member of staff who is most immediately relevant to the matter in hand.

16 If the student is unsure of who to contact, they should approach their Student Journey Advisor, or, Student Information who are able to advise them as to the appropriate person to speak to.

17 The member of staff, if possible, meets the student in order to understand in detail the nature of the student's complaint and uses their discretion to resolve the matter with due sensitivity. The student may be accompanied to any meeting by a friend or relative or a representative from the Students' Union, but is not entitled to legal representation. If a meeting is not practicable, discussions regarding the complaint and proposed resolution may be discussed and agreed via email correspondence.

18 If the matter is not resolved to the student's satisfaction, they should request an informal meeting with their Campus Dean/Programme Director/Director or Head of Service, or their nominee. If the student is unsure of the most appropriate staff member to approach, they should contact the complaints team (complaints@law.ac.uk) who will be able to advise.

19 If a meeting is requested, the Campus Dean/Programme Director, or Director of Service or their nominee arranges to speak with the student as soon as practicable in order to try to resolve the matter.

20 The student can email the University Complaints Officer at any time during the process for information (complaints@law.ac.uk). A record of the outcome of informal proceedings is sent by the relevant member of staff to the Complaints team at its conclusion.

Procedures for dealing with Formal Complaints

21 The student can raise a formal complaint if they are not satisfied with the outcome of the informal process.

22 All formal complaints must be submitted in writing, with appropriate supporting evidence, using the Formal Complaint Form, to the University Complaints Officer (complaints@law.ac.uk) within three months of the occurrence of the matter complained of. The University does not consider any formal complaint received outside this time limit unless the student is able to provide evidence of exceptional circumstances which justify the delay in submission. The Formal Complaint Form can be obtained from the University's website (<http://www.law.ac.uk/about/policies/>), or by requesting a copy from the Complaints team directly.

23 The Formal Complaint Form provides full details of the appropriate place for submission, along with guidance as to how to complete it. Submission is accepted by post or by email, or the most accessible format possible to account for any additional needs the student may have.

24 The student is provided with the details of the Investigating Officer for their case, who is a person not previously involved with the informal stage, and the timescale for the investigation. This timescale may be dependent on disciplinary or other proceedings. The University reserves the right, on occasion, to allocate the role of Investigating Officer to an external consultant.

25 The student may be asked to provide further information to support their case and/or to attend a meeting to discuss their case. It is the responsibility of the student to provide as much evidence as possible in order to support their complaint. If a meeting is held, the student is entitled to be accompanied by a friend or colleague, or representative from the Students' Union, who can act as a supporter, but is not entitled to take any formal part in the proceedings. The student is not permitted to bring a legal representative to the meeting. If it is not possible to meet in person, these discussions may be conducted by telephone, online or email where appropriate.

26 The Investigating Officer undertakes a full investigation and prepares an outcome report, which is then reviewed and approved by the Head of Complaints (or nominee), who obtains payment approval if an ex-gratia payment is recommended. The student receives a copy of the written outcome report from the investigation and any action that will be taken, together with details of how to apply for a review of the decision if they are not satisfied with the outcome of the investigation.

Appeal of Complaint Decision

27 If the student is not satisfied with the outcome of their formal complaint, they may request a review of the procedure (under the grounds explained in paragraph 31), which is carried out by the Complaint Appeal Panel. The Panel will not re-consider the investigation afresh.

28 The Appeal Application Form is sent to the student, together with notification of the outcome of the investigation into the original formal complaint, and provides full details of the appropriate place for its submission. Submission is accepted by post or by email.

29 The Appeal Application must be submitted within 14 calendar days of receipt of the Outcome Report from the University following the investigation of the formal complaint. The University does not consider any request for review received outside this time limit unless the student is able to provide evidence of exceptional circumstances which justify the delay in submission.

30 The appeal application must outline the reasons for dissatisfaction with the outcome. It is not sufficient simply to reiterate the original formal complaint.

31 For an appeal to be considered, the student must:

31.1 provide further evidence to substantiate the complaint, together with a full explanation of why this evidence was not supplied with the formal complaint; or

31.2 demonstrate that the formal complaints procedure was not followed correctly and that this had a detrimental impact on the outcome

or

31.3 demonstrate that, despite having followed the correct procedures, the decision reached was one that no reasonable body, properly directed and taking into account all relevant factors, could have arrived at.

32 The student is provided with the details of the date of the Complaints Appeal Panel, for noting only. The student is not expected to attend the Complaints Appeal Panel unless specifically requested by either the Panel, or Student, with salient reasons for attendance provided. The Complaints Appeal Panel is comprised of:

- The Panel Chair
- A Panel Member
- SU Representative

33 As with the original investigation into the formal complaint, the student may be asked to provide further information. If the student requests attendance at the Panel meeting, and this is approved by the Complaint Appeal Panel Chair, , the student is entitled to be accompanied by a friend or colleague, who can act as a supporter, but who is not entitled to take any formal part in the proceedings. The student is not permitted to bring a legal representative to the meeting.

34 The Complaints Appeal Panel consider the original formal complaint, and the investigation outcome report alongside the complaint appeal form and the reasons for the appeal, as well as any further supporting evidence and narrative the student has provided. The Complaint Appeal Panel will, on the basis of the documents and evidence provided, decide whether the appeal should be upheld (in part or full), or rejected. The Student will receive a written outcome of the Complaint Appeal Panel's decision within 14 calendar days of the Panel meeting.

Complainants will be advised of the date of the Panel which their Appeal will be considered at. If a Complainant wishes to submit further information or evidence to the Panel, they must do so no less than three working days prior to the Panel. Evidence received after this point will not usually be considered.

35 The outcome of a complaint appeal (and the Complaint Appeal Panel) may uphold the original decision of the Investigating Officer or change it, whether this is in the student's favour or not. Any offer made to the student as part of the initial outcome may be removed in the appeal outcome.

Office of the Independent Adjudicator (OIA)

36 The OIA is an external body that conducts independent reviews of student complaints. The University is a member of the OIA for Higher Education scheme. This scheme enables the student to obtain an independent review of their case, subject to the OIA's rules for eligibility. Further information can be obtained from www.oiahe.org.uk.

37 If, having completed the University's procedures for complaints, the student is dissatisfied with the outcome; they may request a review by the OIA. Full details of this service, incorporating required timescales, are provided to the student by the University.

38 On conclusion of any review of the complaint decision, the University Complaints Officer provides the student with a Completion of Procedures letter, which they must present to the Office of the Independent Adjudicator (OIA), if they wish to request the OIA to review their case.

Education Skills Funding Agency (ESFA) Apprentices only.

39 If, having completed the University's procedures for complaints, the apprentice is dissatisfied with the outcome; they may contact the ESFA Apprenticeship Service Support on 08000 150 600 or helpdesk@manage-apprenticeships.service.gov.uk

40 ESFA, on behalf of the Secretary of State for Education, aims to deal with complaints fairly and proportionately.

41 Organisations should investigate a complaint in a full and fair way. ESFA can investigate whether they have done this.

42 For full details on the ESFA complaints services and how to contact them please visit <https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

Process timelines

43 The timescales for responding to complaints are:

43.1 The University will respond to, and aim to resolve, an informal complaint within 14 calendar days of initial receipt.

43.2 The University will acknowledge receipt of a formal complaint within seven days of it being received.

43.3 The University will conclude an investigation of a formal complaint and provide the initial outcome report to the complainant within five weeks of acknowledging the complaint.

44 The timescales for responding to applications for review are:

44.1 The complainant must submit their appeal within 14 calendar days of receiving their initial outcome report, unless there are appropriately evidenced extenuating circumstances which prevented the complainant from doing so.

44.2 The university will acknowledge receipt of an application for a review within seven calendar days of it being received.

44.3 The university will conclude a review, and the Complaint Appeal Panel will meet within four weeks of acknowledging the application for review.

45 On occasion, due to factors beyond the University's control, it may not be possible to conclude the relevant investigations within the allotted timescale, the student will be notified in writing and provided with details of why the investigation will take a longer period (eg relevant staff on holiday), along with a revised date by which the investigation will be concluded.

Confidentiality

46 As far as possible, matters raised as a complaint remain confidential to those directly involved in the investigation of the complaint and in the response to the student, unless maintaining confidentiality would impede the University's ability to progress, investigate or respond to the complaint or would involve a risk to health or safety.

47 Outcome reports may be published to appropriate University staff, if this is required to enable the University to take remedial action.

Vexatious or Malicious Complaints

48 The University may summarily reject a complaint if it is, in the University's view, vexatious or malicious. The decision to reject a complaint on this basis is at the sole discretion of the University, and the student will have the opportunity to request an appeal of the complaint outcome under the normal process.

49 A vexatious complaint is one which is entirely without merit and is made with the intention of causing inconvenience, harassment, or expense to the company. Where it is readily apparent that a complaint is vexatious the University will reject the complaint.

50 A malicious complaint is one which bears active ill-will or spite or demonstrates wrongful intention toward any other. Where a complaint is malicious, the University will summarily reject the complaint. Examples of malicious complaints include complaints that, by their nature, are, or could be, defamatory or libelous in nature

51 If a complaint is made with vexatious or malicious intent or is in any way abusive in tone, this is viewed seriously and may result in disciplinary action.

Unacceptable or inappropriate conduct

52 The University understands that matters relating to a complaint, including the complaint itself, can be a stressful experience for students.

53 Whilst the University is committed to managing the complaints process aligned with the Key Aims and Principles mentioned within this policy do not expect staff to have to tolerate behaviour which the University considers to be unacceptable. A non-exhaustive list of examples, below, includes any communication which is:

- abusive, offensive, defamatory or distressing;
- aggressive, threatening, coercive or intimidating;
- unreasonably persistent or demanding.

54 The University will take action to protect staff from such behaviour. This may include taking action under the University's Student Disciplinary Regulations. Where the University considers that the behaviour of a complainant is unacceptable the University will explain why it finds their behaviour unacceptable and will ask them to change this behaviour.

55 If the unacceptable behaviour continues, the University may take action to restrict their contact in connection with the complaint.

56 The University will write to tell the complainant to explain why we believe their behaviour is unacceptable, what action we are taking and the duration of that action. Where a complainant continues to behave in a way which we consider to be unacceptable, we may decide to terminate contact with them. This may mean that we will not continue with the handling of their complaint.

Anonymous Complaints

57 Anonymous complaints will be forwarded to the most appropriate staff member to investigate as part of the early resolution stage of the process. However, no formal outcome will be produced as it is not possible to respond to an anonymous complainant.

Complaints Involving the Police/Courts

58 If at any point during complaint proceedings, the complainant reports the matter to the police, unless it has been authorised in writing by the University's legal team, action under this policy, must be stayed until the outcome of the police investigation, and any criminal proceedings which result from it, are completed. On the conclusion of any police investigation or any criminal proceedings the Head of Student Casework (or nominee), following consultation with the Head of Legal (or their delegate within the University's legal team), will notify the complainant in writing whether the University's internal complaint investigation will be re-started or not.

59 The above also applies for any matter that is or becomes the subject of court or tribunal proceedings which have not been stayed (adjourned or put on hold).

Possible Outcomes

60 Each complaint is treated individually and, on its merits, and the outcomes from complaints will vary from case to case. Examples of possible outcomes are listed below:

- 60.1 no case to answer;
- 60.2 formal apology;
- 60.3 review of University policies and/or procedures;
- 60.4 provision of specific information;
- 60.5 change of timetable;
- 60.6 provision of additional tuition
- 60.7 ex-gratia payment (without liability).

61 The decision whether to offer an ex-gratia payment – and if so how much – is entirely within the discretion of the University. However, such a payment is normally only considered in the following circumstances:

- 61.1 the student missed a quantity of learning opportunities (where there are no opportunities for additional tuition);
- 61.2 stress or anxiety (based on a sliding scale);
- 61.3 unexpected expenditure on the part of the student, where supporting evidence is supplied;

61.4 loss of income.

Record Keeping and Reporting

62 The University's Academic Board ensures that a procedure for monitoring, evaluating, and reviewing formal complaints is in place. A report dealing with the handling of such complaints is presented to the Academic Board.

Advice

63 Students who are unsure how to proceed can contact the Complaints Team (complaints@law.ac.uk), who will assist where possible.

Responsibility for the provision

64 Responsibility for the effective implementation of the Student Complaints Policy lies with the Head of Complaints.

Monitoring and review of the provision

65 Responsibility for reviewing and evaluating the effectiveness of the Student Complaints Policy lies initially with the Head of Complaints. Formal responsibility for monitoring and evaluation of this provision lies with the Academic Board.

Version history

Version	Amended by	Revision summary	Date
V1.0	Centre Director – Guildford	Initial drafting group	31/05/13
V1.1	Centre Head – Bristol	QA group	05/07/13
V1.2	External Consultant	Coherence activity amendments	19/09/13
V1.3	Centre Director – Birmingham	Head of Complaints	19/09/13
V1.4	Student Officer	Review	23/09/13
V1.5	VP – AGQS	Review	24/09/13
V1.6	Academic Registrar	Review	25/09/13
V1.7	Academic Board	Approval	03/10/13
V1.8	Registry Officer	Final amendments following proofing	02/12/13

V1.9	VP – AGQS	Chair’s sign off	13/12/13
V1.10	Academic Registry	Review	22/07/15
V2.0	Vice Provost – External and Academic Development	QA group	20/08/15
V2.1	Registry	Amends	20/10/15
V2.2	Academic Board	Approval	10/02/16
V2.3	Registry	Amends	28/07/17
V2.4	Academic Board	Approval	09/10/2017
V2.5	Review Group and other stakeholders	Revised to align with published QAA advice and guidance	06/09/2019
V2.6	Registry Officer	Change to the document coding convention	March 2020
V2.7	Head of Quality Assurance	Grammatical corrections	October 2020
V2.8	Deputy Academic Registrar	Revised based on advice from OIA (Dec 2020). Approved by Academic Board March 2021	March 2021
V2.9	Head of Quality Assurance	Updates to: Details regarding investigating and appeal officers Further details regarding vexatious and malicious complaints Details regarding complaint and appeal timescales Apprenticeship complaints information for the ESFA	February 2022
V2.10	Head of Quality Assurance	Amendment to Complaint Appeal process – inclusion of Complaint Appeal	October 2023

		Panels rather than Review Officer	
V2.11	Head of Student Casework	Inclusion of SLA for informal complaints	November 2023
V2.11	Approved by Academic Board		8 February 2024