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*This document is part of the Academic Regulations, Policies and Procedures, which govern the University's academic provision. Each document has a unique document number to indicate which section of the series it belongs to.*

## 11F - Student Complaints: Policy and Procedure

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### 1. SCOPE AND PURPOSE

- 1.1 This policy and procedure is intended for Bournemouth University (BU) staff, and students (including those enrolled on programmes delivered at academic partners) and recent students/graduates.
- 1.2 This policy and procedure is for use when a student (or recent student/graduate) wishes to make a Complaint. Complaints from recent students/ graduates are subject to the timescales contained within this document.

#### Help and support

The University makes every effort to support students and appreciates that submitting a Complaint may be considered a difficult undertaking. The University provides support which is freely available to help you through any issues you may be experiencing.

Please have a look at the information and resources located on the Health & Wellbeing webpages including the A-Z of Resources.

Should you require any assistance with submitting your complaint please contact [SUBU Advice](#).

### 2. KEY RESPONSIBILITIES

- 2.1 Responsibility for the management and implementation of this policy and procedure lies with the Academic Registrar.
- 2.2 **Students** are responsible for familiarising themselves with this Policy and Procedure and for acting in accordance with it as required. It is the responsibility of students to seek clarification if necessary.
- 2.3 **Senate** approves new policies or amendments to existing policies relating to Student Complaints.

- 2.4 **Academic Standards and Education Committee (ASEC)** considers the effectiveness of the arrangements for Student Complaints and recommends changes to current policy to Senate.
- 2.5 **Faculties** are responsible for ensuring that students are informed of the principles of this policy and procedure. The relevant Faculty Education Service Manager will co-ordinate the Formal Stage of the procedure for Student Complaints of an academic nature.
- 2.6 **The relevant Directors/Heads of Professional Services** co-ordinate the Formal Stage of the procedure for Student Complaints of a non-academic nature.
- 2.7 **Academic Quality** co-ordinate the Review Stage of the procedure for Complaints of an academic nature.
- 2.8 **Student Services** co-ordinate the Review Stage of the procedure for Complaints of a non-academic nature.

### 3. LINKS TO OTHER BU DOCUMENTS

- 3.1 Other documents with direct relevance to this one are:
- [3T - Admissions Appeals and Complaints: Policy](#)
  - [11H - Fitness to Practise: Procedure](#)
  - [11K - Student Disciplinary: Procedure](#)
  - [11L - Third Party Involvement: Procedure](#)
  - [Unacceptable Behaviour Policy and Procedure](#)
  - [Dignity and Respect \(Harassment\) Policy and Procedure](#)
  - [Halls of Residence Rules](#)
  - [Equality and Diversity Policy and its implementation](#)
  - [Important Information \(student facing policies and procedures\)](#)

## Policy

### 4. GENERAL PRINCIPLES

- 4.1 The University takes all Complaints seriously and students will not suffer any disadvantage or recrimination by making a Complaint in good faith. Where, however, a Complaint is shown to be frivolous, vexatious or motivated by malice, action may be taken, including disciplinary action under the relevant disciplinary policy.
- 4.2 This policy also extends to cover all apprentices undertaking an apprenticeship where BU is the main provider, where their application has been accepted, and they and their employer have returned the signed and dated Commitment Statement. For the purpose of this policy, all apprentices are considered students.
- 4.3 The University is committed to the fair and equal treatment of all individuals regardless of gender, age, disability, colour, race, ethnic or national origin, socio-economic group, sexual orientation, marital status, family responsibilities, religious or political beliefs.
- 4.4 The University is committed to ensuring that all Complaints are dealt with independently and without bias. The decision maker at each stage will be a different person, thus ensuring independence and the removal of the perception that any bias may have occurred. However, staff who have been involved at earlier stages may be required to provide evidence and information relating to the case.
- 4.5 The University will deal with all Complaints in a timely manner and will ensure that students (and recent graduates) are communicated to with regards their case on a regular basis. Where the University needs to go outside of the timescales stipulated in this policy and procedure (e.g., due to staff sickness or the complexity of a case) this will be communicated to the student in a timely manner.

- 4.6 Where a student has exceptional circumstances, the processes set out in this document can be delayed at any point upon a student's request, otherwise normal timeframes apply. Any request is expected to be supported by verifiable evidence.
- 4.7 If a student wishes to make an Appeal at the same time as a Complaint, both will be dealt with concurrently. If this is not practicable, the Complaint will be dealt with in accordance with this Policy and Procedure before the Appeal is considered.
- 4.8 Where a student is also subject to a University procedure (whilst pursuing a Complaint) such as (but not limited to) Fitness to Practice/ Support to Study or a Disciplinary Procedure the University will determine which Procedure takes precedence. The student will be kept informed at all stages.
- 4.9 The University believes that Complaints provide feedback which allows us to improve services for students. The University will investigate Complaints thoroughly and objectively and will seek to resolve them to the satisfaction of the Complainant.
- 4.10 Complaints will be dealt with positively and constructively and students will be provided reasonable and appropriate responses. When reaching an outcome, the University will check to ensure it has properly applied its policies and procedures, and whether it has acted reasonably and fairly at all stages. Where a Complaint is upheld, the University will seek to correct any mistakes or misunderstandings and will take any other action as appropriate. Where a Complaint is not upheld the reasons for the decision will be provided.
- 4.11 Where a Complaint brought by a group of students is upheld, the University will consider whether it is fair to extend any remedy to other students affected by the same issue(s) even if they have not made a Complaint to the University.
- 4.12 As indicated in the University's [Student Protection Plan](#), this policy and procedure is the primary means through which refund and compensation claims made by students or groups of students will be considered when the University has not been able to preserve continuity of study. Where complaints of this nature are upheld and a refund or compensation is deemed appropriate this will be considered with reference to the University's Refund and Compensation (non-continuation of study) Policy and Procedure.
- 4.13 BU will consider all Complaints with the highest level of confidentiality that can be maintained whilst still allowing for consultation with appropriate persons required to investigate the Complaint. Any individual against whom a Complaint is made has a right to be informed of the Complaint. For students on apprenticeship programmes it may be necessary to inform the employer of the Complaint.
- 4.14 It may not be possible to investigate a Complaint fully and fairly if a Complaint is made anonymously. If the student requests anonymity, this may only be granted in exceptional circumstances provided that this is consistent with effective investigation and where it is possible to do so. This will be determined on a case-by-case basis.
- 4.15 This document is an internal procedure and is not a legal process. The University advises students to use the services of the [SUBU Advice](#) team who are independent from the University and have a full understanding of the University's processes and procedures. BU does not normally use legal professionals in the handling of cases, and does not expect that students will need to do so either. The engagement of legal professionals by students to represent them in the complaints process is normally not permitted.
- 4.16 Students can choose to be supported or represented by a third party (but not normally a legal advisor) at each stage. However, the University will not investigate a Complaint made on the student's behalf by a third party unless the student has appointed a third party as their representative to manage the Complaint on their behalf. Please refer to *11L - Third Party Involvement: Procedure* for further details.

- 4.17 If a Complaint made by a student who is under the age of 18 proceeds to the formal stages, the University will notify the student's parent/guardian in writing, and keep them informed of the progress of the Complaint unless the student expressly requests us not to. The University will permit the student's parent/guardian to act on the student's behalf as described in *11L - Third Party Involvement: Procedure*.
- 4.18 Evidence in the form of a covert recording will not normally be admissible. Should a student wish to submit any covert recording as evidence at any stage of the procedure, it would be considered on a case by case basis.

## Procedure

### 5 DEFINITIONS

- 5.1 The University defines a Complaint as '**an expression of dissatisfaction by one or more students about the University's action or lack of action, or about the standards of service by or on behalf of the University**'.
- 5.2 This policy and procedure is relevant for both individual and group Complaints. It covers Complaints relating to:
- Programmes, services or facilities provided by the University or Partner.
  - Relevant law and guidance, such as consumer law and Competition and Markets Authority guidance.
  - Actions or lack of action by the University, Partner or any member of the University community.
- 5.3 This policy and procedure does not cover matters where other separate codes of practice or procedures apply, for example:
- academic appeals relating to examinations or assessments;
  - Complaints relating to allegations of harassment by a member of the University community which will be dealt with in accordance with the *Dignity and Respect (Harassment) Policy and Procedure* or *Student Disciplinary Procedure*;
  - Complaints relating to allegations of misconduct by a member of the University community which will be dealt with in accordance with the procedures laid out in the appropriate disciplinary policy;
  - Complaints relating to an alleged breach of the University's Residences Rules which will initially be dealt with by the Residences Manager as set out in the *Halls of Residence Rules*;
  - This policy and procedure may not be appropriate if the concern relates to the process or content of an established University policy or procedure. Students should raise concerns about BU's policies or procedures through the student representative system (administered by the Students' Union) and through programme, Faculty, Partner or University committees. The student should raise academic matters about the content or delivery of courses, units or courses through Course Representatives or with staff in the relevant Faculty or Partner.

Complaints about the Students' Union's members of staff or services are dealt with through the Students' Union's own Complaints procedures (available from SUBU Advice or online at SUBU advice).

### 6 STUDENT RIGHTS

- 6.1 Students pursuing a Complaint through this policy and procedure will be entitled to apply for access to personal data by making a subject access request in accordance with the data protection legislation. Further information about data protection rights can be found on the [Data protection and privacy page of the BU website](#). This includes a subject access request form which will help you submit your response in writing.
- 6.2 Where a student's enrolment status is changed following withdrawal, and they are complaining against this decision, they will be entitled to an agreed period of time to access their IT account

to gather anything required for their complaint before it will be suspended. This can be arranged via the IT Service Desk.

6.3 Students are encouraged to seek advice and support from SUBU Advice. If a student feels that they have been disadvantaged as a result of choosing not to be represented by the Students' Union (as per provisions of 22(2)(m) of the Higher Education Act 1994) the following variations to this procedure will apply:

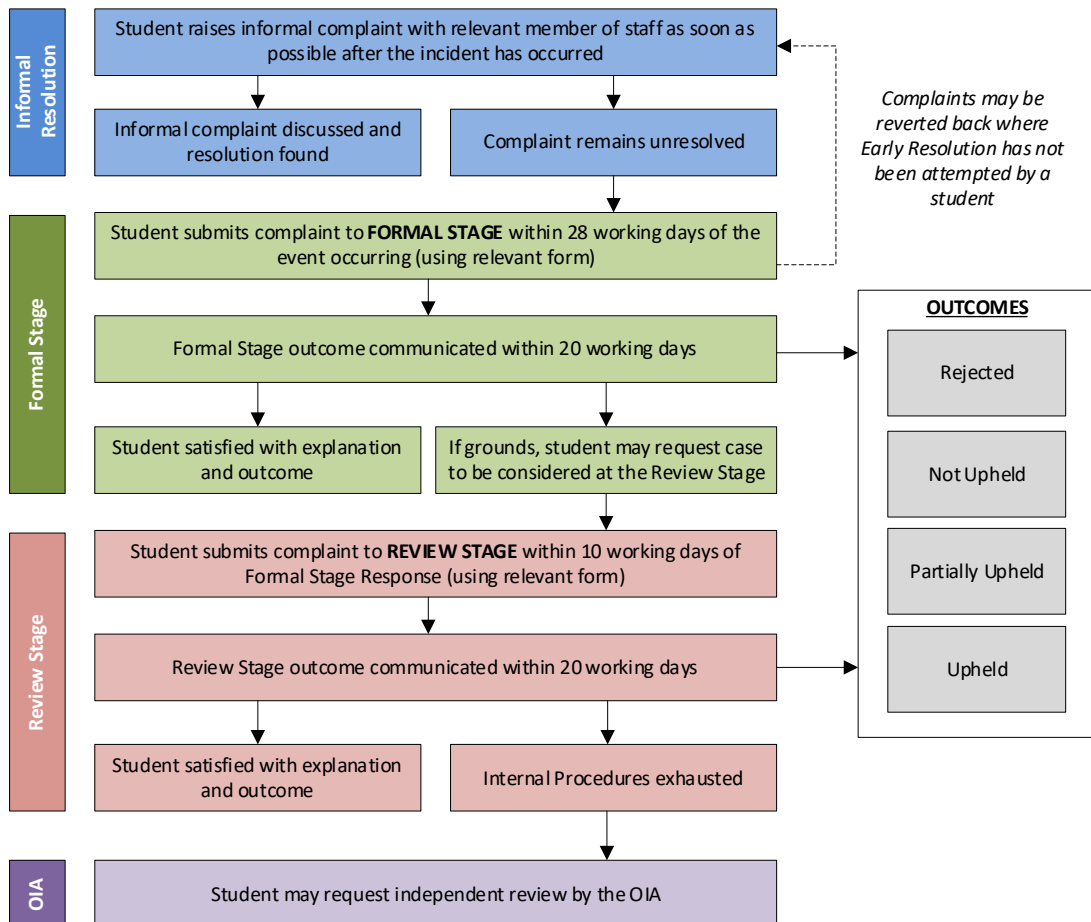
- The Formal Stage procedure will apply as outlined below, but with the initial Complaint being made in writing to the SUBU Advice Manager of the Students' Union.
- The Review Stage will be undertaken by Academic Quality/Student Services in accordance with the procedure outlined below.

## 7 APPLICATION

7.1 A Complaint made directly to the Vice-Chancellor (or any other member of the Office of the Vice-Chancellor) will be acknowledged and referred to the appropriate Faculty or Professional Service for consideration who will ensure that it is dealt with under this policy and procedure.

7.2 Where a Complaint is brought by a group of students, normally one student should be prepared to identify themselves as spokesperson and correspondent. All students must agree in writing to the spokesperson acting on their behalf. The University will communicate through the nominated spokesperson and will expect them to liaise with other students. Each member of the group must confirm and be able to demonstrate that they have been personally affected by the matter that is the subject of the Complaint.

7.3 The diagram below gives an overview of the Complaints process



## 7.4 Early Resolution

- 7.4.1 The University's complaints procedure includes the provision for early resolution of informal concerns at a local level, enabling concerns to be dealt with swiftly before these are escalated into a formal complaint. Students are expected to exhaust all avenues of early resolution before submitting a formal complaint. Formal complaints may be referred back for early resolution where this has not been attempted.
- 7.4.2 Students are required to discuss any concerns with the most relevant member of staff in the first instance, so the right person can look into the issue raised, and as soon as possible after the incident has occurred. If a complaint is about a member of staff and a student does not feel they can raise it with them directly, they should aim to raise the complaint with another relevant member of staff. Concerns at this stage should be made either in-person or in writing. Advice can be sought from the Students' Union.
- 7.4.3 Key principles of early resolution:
- The intention is for complaints to be resolved as quickly and at as early a stage as possible.
  - Early resolution has the potential to arrive at similar resolutions as those derived through the formal process.
  - Where appropriate, any meeting with students should normally be arranged within **five working days** of a concern being raised.
  - Attempts for early resolution should be completed within **28 working days** of any incident occurring, with an emphasis on students to raise concerns in a timely manner as to ensure any formal complaint is not submitted outside of published deadlines (see 7.6).
- 7.4.4 At the conclusion of early resolution, the relevant Faculty/Professional Service should record the actions taken to consider and resolve a concern, the decision, and minimum details of what was communicated to students, and when. The outcome of early resolution will be accessible to those dealing with any formal complaint at a later stage.
- 7.4.5 Whilst every effort should be made to resolve a complaint through early resolution, some cases may not be suitable for informal consideration and will need to be dealt with through the formal process. Where it is clear early resolution is not appropriate or possible, or where a student is dissatisfied with a proposed outcome, the relevant staff member dealing with the concern should promptly direct students to the Formal Stage.
- 7.4.6 The University routinely records and monitors informal concerns to identify any trends and opportunities to improve the provision of services (see section 9).
- 7.4.7 Students who are undertaking apprenticeship programmes with complaints about their working arrangements must go to their employer in the first instance. Complaints of this nature are outside the scope of this policy and procedure.

## 7.5 Local Formal Stage

- 7.5.1 Where early resolution is not deemed appropriate, or where a student remains dissatisfied with a proposed outcome, students have the opportunity to submit a complaint to the Formal Stage.
- 7.5.2 Complaints at this point should be addressed to the Faculty Education Services Manager or the Director/Head of Professional Service of which the concern relates using the Complaints Form (Appendix 1). Students must include any relevant evidence to support the complaint. The provision of any additional evidence after submitting a formal complaint may impact the response timescales, as per 7.5.4. For students enrolled on programmes delivered at academic partners, the Complaint Form should be submitted in writing to the relevant Link Faculty Education Services Manager. Students who are not aware of who this is, are advised to email [complaints@bournemouth.ac.uk](mailto:complaints@bournemouth.ac.uk) advising that they are submitting a Formal Stage Complaint.

- 7.5.3 It is expected that a student who wishes to make a formal Complaint will submit the Complaint Form **within 28 working days** of the incident that is the cause for Complaint. Where a student wishes to make a Complaint outside of this timescale, they will need to provide an explanation of why they were unable to keep within this timescale and provide evidence to support this.
- 7.5.4 On receipt of a formal complaint, the appropriate team will consider whether the Complaint should be considered under this Policy and Procedure in accordance with the guidance provided in section 5 above and reserves the right to refer any complaint that is not within the scope of this document. In these cases, the student will be provided an explanation of why their complaint is being referred on.
- 7.5.5 The staff member investigating the complaint may talk with a student and/or key staff and consider documents and other evidence relating to the case, as required.
- 7.5.6 Whilst every effort will be made to deal with Complaints in a timely manner, Complainants should normally expect to receive a written response within **20 working days** of the receipt of their Complaint. Students will be informed of any delay to this timescale Students will be informed of any delay, with a reason for the delay and revised timescales provided.
- 7.5.7 The outcome of the Complaint will be one of the following:
- **Rejected** - the Complaint does not fall within the scope of this policy and procedure (see section 5) OR has been submitted outside of the 28 working day deadline and no valid explanation was given or no evidence was submitted to support a valid reason for submitting outside of the deadline.
  - **Not Upheld** - The Complaint has been investigated but there is no evidence to support the claims made.
  - **Partially upheld** - The Complaint has been investigated and it is found that one or more elements of the Complaint have been substantiated.
  - **Upheld** - The Complaint has been investigated and it is found that the claims upon which the Complaint have been fully substantiated.
- 7.5.8 All complainants who have received an outcome from a Formal Stage Complaint have the opportunity to request that their case is considered at the Review Stage provided there are valid grounds as outlined in 7.6.1.

## 7.6 Review Stage

- 7.6.1 If a student is dissatisfied with the outcome of the Formal Stage, they may request a review of their Complaint on the following grounds:
- there have been material irregularities in the application of the University's policies and procedures for considering the student's Complaint at an earlier stage of the process;
  - the student has provided new and relevant evidence in support of their Complaint which, for valid reason, they had not been able to supply at an earlier stage of the process;
  - the outcome of the Formal Stage is deemed to be unreasonable under the circumstances.
- 7.6.2 The Review Stage will not consider the issues raised in the original complaint afresh nor involve a further investigation. New points of complaint may not be raised at the Review Stage.
- 7.6.3 A student seeking consideration at the Review Stage must submit their request within **10 working days** of the date of the Formal Stage response. The request should be addressed to Academic Quality (academic complaints)/Student Services (non-academic complaints) and must demonstrate how their request meets the grounds upon which a review may be brought as outlined in 7.6.1.
- 7.6.4 On receipt of the request, the appropriate team will consider whether the complaint is admissible on the grounds stated in paragraph 7.6.1 above and reserves the right to reject any request that is not within the scope of these grounds. In these cases, the student will be

provided an explanation of why their complaint has been rejected.

- 7.6.5 If the Complaint concerns the work of Academic Quality, the Academic Registrar will oversee the Review Stage of the procedure. If the Complaint relates to the work of the Complaints and Conduct Advisers in Student Services, the Director of Student Services will oversee the Review Stage of the procedure.
- 7.6.6 The Review Stage will normally be completed with a response in writing **within 20 working days** of receiving the request. The outcome will be in accordance with 7.5.7 above. When reaching an outcome, the Review Stage may refer a matter back to the Formal Stage for reconsideration. Students will be informed of any delay, Students will be informed of any delay, with a reason for the delay and revised timescales provided.

## **8 REVIEW BY THE OFFICE OF THE INDEPENDENT ADJUDICATOR**

- 8.1 The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints, in which BU is a member of this scheme. If you are unhappy with an outcome, you may be able to ask the OIA to review your complaint. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right if something has gone wrong here: <https://www.oiahe.org.uk/students>.
- 8.2 You normally need to have completed BU's procedures before you complain to the OIA. We will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your complaint is not upheld, we will issue you with a Completion of Procedures Letter automatically. If your complaint is upheld or partially upheld, you can ask for a Completion of Procedures Letter if you want one. You can find more information about Completion of Procedures Letters and when you should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.
- 8.3 Students on apprenticeship programmes where BU is the main provider may also seek advice from or complain to the Education and Skills Funding Agency (ESFA). The ESFA helpdesk can be contacted directly using 08000 150400 or email [nationalhelpdesk@apprenticeships.gov.uk](mailto:nationalhelpdesk@apprenticeships.gov.uk). Apprentices can access details of the ESFA's procedures at: <https://www.gov.uk/government/publications/complaints-about-post-16-education-and-training-provision-funded-by-esfa/complaints-about-post-16-education-and-training-provision-funded-by-esfa>.

## **9 MONITORING, EVALUATION AND REVIEW**

- 9.1 The University will keep records of Student Complaints considered at each stage of the complaints process and will report on these on an annual basis.
- 9.2 Academic Quality will report on all Complaint cases annually to the University Board. The purpose of this report is to ensure appropriate monitoring, evaluation and review of the Student Complaints process. The report will also outline any recommendations for amendments to practice based on the data collated. Academic Quality will ensure that all such recommendations are considered in a timely manner.

## **General**

### **10 REFERENCES AND FURTHER INFORMATION**

- 10.1 [\*Office of the Independent Adjudicator – Good Practice Framework The UK Quality Code for Higher Education \(QAA, 2018\)\*](#)
- 10.2 *Complaints about University managed student accommodation*



Bournemouth University has signed up to the Universities UK *Code of Practice for University Managed Student Accommodation*. This outlines the standard of accommodation provision, service and health and safety that is considered as good practice within the sector. After exhausting the University's Students Complaints Policy and Procedures students may complain to the UUK/SCOP Code Managing Committee (in addition to, or instead of the Office of the Independent Adjudicator). For further information please see <https://www.universitiesuk.ac.uk/policy-and-analysis/Pages/accommodation-code-of-practice.aspx>.

10.3 This policy was reviewed according to the University's [Equality Analysis Procedure](#) in May 2022.

10.4 If you would like this document in a different format please email [complaints@bournemouth.ac.uk](mailto:complaints@bournemouth.ac.uk)

## 11 APPENDICES

Appendix 1: [Student Complaint Form](#)