

This policy/regulation applies to students at PU sites of delivery and in all UK and International partnerships unless exceptions to regulations have been formally approved

Student Complaints Procedure

(Changes since the last version, in bold and underlined)

Version 11.0

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1. Introduction

The University aims to provide high quality services to students. Unfortunately things occasionally go wrong. Whatever your complaint, you can expect it to be dealt with promptly and fairly and in line with the University's policies and procedures. You will not be disadvantaged or treated less favourably by making a complaint.

2. Should you make a complaint?

A complaint may not be the best way to deal with the problem. If you are still not sure after you have studied this information, please contact the Conduct, Complaints, and Appeals Office (see footnote) which will be able to advise you further.

Are you dissatisfied with aspects of your course?

- issues/problems can be raised at Programme Committees, School or Faculty Graduate Affairs Committees and Staff/Student Liaison meetings by your course rep or other student representative;
- the annual Student Perception Questionnaire is an opportunity to provide critical feedback. Most final stage undergraduate students are also asked to participate in the National Student Survey, the results of which are used to help the University improve its support for the student learning environment;
- consult with UPSU Advice (or equivalent at Partner Institutions or a Student Union Officer who can deal with matters directly or raise issues through their representation on university committees.

Are you dissatisfied with a decision made by an Award Assessment Board?

- Dissatisfaction with Award Assessment Board decisions, e.g. progression from stage to stage; withdrawal on academic grounds; degree classification; decisions of Committees of Investigation about academic offences, etc., should be submitted as an Appeal. Information about the Appeal Procedure can be found at <https://intranet.plymouth.ac.uk/acregsc/acadregs/intranet.htm>
- If you submit an appeal which incorporates a complaint, your complaint will be investigated before your case is put to an Appeal Panel.

Is your complaint about alleged misconduct or harassment either by another student or a member of staff?

- You should normally approach your Head of School or, in their absence, another appropriate senior member of staff of your School or Partner Institution. Your Faculty Office, UPSU Advice (or equivalent at Partner Institution) or the Conduct, Complaints and Appeals Office or person responsible for complaints in the

Partner Institution will be able to tell you who this is if you do not know. Further information on harassment, including a list of Harassment Advisers, is available at <http://intranet.plymouth.ac.uk/equality/intranet.htm> or by e-mailing equality@plymouth.ac.uk

Complaints about bullying and harassment cannot be considered by a Complaint Review Panel. If the complaint relates to bullying and harassment by a student, then the matter will be investigated using the Student Code of Conduct and Disciplinary Procedure. If the bullying and harassment is in relation to a member of staff then the matter will be investigated using the Anti-Bullying and Anti-Harassment Policy. Students studying in Partner Institutions will be referred to the Partner institution's equivalent policies and procedures, for investigation by the Partner Institution. However, all complaints relating to bullying and harassment should be sent to complaints@plymouth.ac.uk in order for the complaint to be correctly forwarded to the appropriate person.

- **The University's Student Code of Conduct and Disciplinary Procedure can be found here:**
<https://www.plymouth.ac.uk/uploads/production/document/path/6/6464/Student Code of Conduct and Disciplinary Procedure 2015-16.pdf>
- **The University's Anti-Bullying and Anti-Harassment Policy can be found here:**
<https://www.plymouth.ac.uk/uploads/production/document/path/7/7107/Anti-bullying and anti-harassment policy and procedure v.1.1 2 .pdf>

Issues that can be considered under the Complaints Procedure¹

- **Aspects of your learning and teaching experience**
- **Service issues (at stage 2 only, for Partner Institutions. Stage 3 is managed by the Partner)**
- **Facilities**
- **University-managed accommodation**

Issues that cannot be considered under the Complaints Procedure

- **Any academic decision taken by an assessment board**
- **Admissions**
- **Complaints about bullying and harassment**
- **Private accommodation arrangements**
- **Student conduct**

¹ These lists are not exhaustive.

3. Making a complaint

If you have decided that the complaints procedure is the most appropriate step to take, please read the following before going any further.

Who can make a complaint?

- If you are an undergraduate, taught postgraduate or research student currently registered on a University of Plymouth award then you can use this procedure.
- If you are studying for an award at a Partner Institution, you should follow the University's Complaints Procedure but ensure that at Stage 1 of this procedure you fully engage with the Partner Institution to seek the resolution of your complaint.
- **However, students studying at a Partner institution should note that, under Office of the Independent Adjudicator (OIA) rules, the University cannot consider complaints about service issues (facilities, resources etc.) in partner institutions. Complaints about service issues in partner institutions should be raised through the partner institution's internal Complaints Procedure.**
- **Students studying for a Plymouth Award at GSM London, should first follow the GSM London's Student's Complaints and Concerns policy and can raise a complaint with the University of Plymouth, only when the internal procedures of GSM London have been exhausted. The University will review complaints from GSM London Students only when students are able to demonstrate that they have engaged and exhausted the internal procedures of GSM London. GSM London's Student Complaints and Concerns Policy can be found here <https://www.gsmlondon.ac.uk/i1-student-concerns-and-complaints>**
- **Students who have completed their studies and still wish to make a complaint to the University should do so within 90 days of the end of the period of registration. The 90 days begins 5 working days after the final appeal deadline. Please note however that, as set out below, complaints should normally be made within 90 days of the event(s) leading to the complaint.**
- You cannot make an anonymous complaint. The Student Complaints Procedure can be used by an individual student or by someone acting on the student's behalf with their express written consent, or by a group of students. Complaints cannot be anonymous but we will always treat them with appropriate sensitivity; information will be disclosed only to those who need to see it for the purposes of dealing with your complaint.

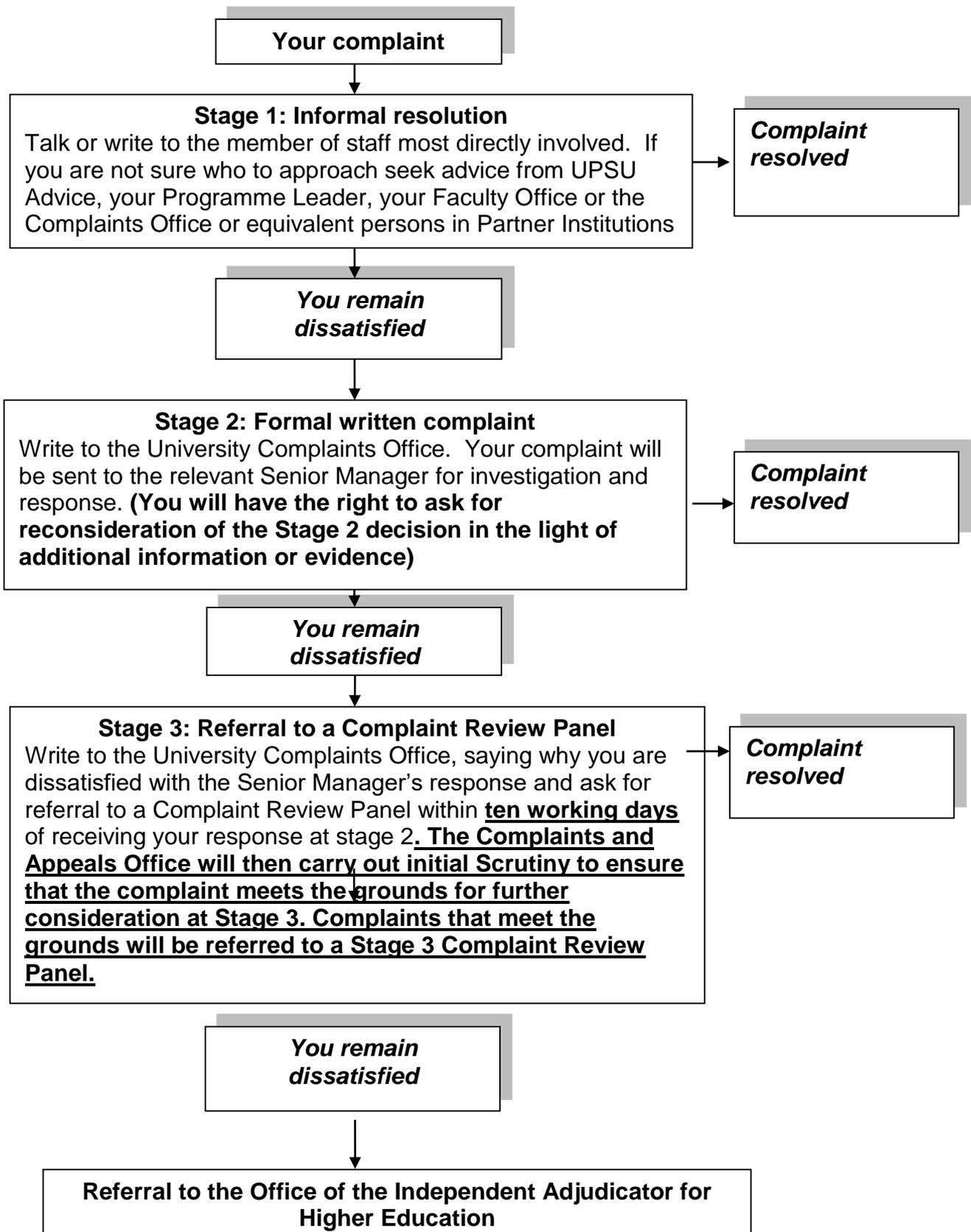
What are the time frames for making complaints?

- **Students should submit complaints within 90 days of the issue they wish to complain about.** , when events are clear in the minds of those involved, and when evidence may be more readily available. **Complaints submitted more than 90 days after the issue(s) occurred will be considered only in exceptional circumstances. Exceptional circumstances are those in which the student is able to demonstrate good reason for not submitting the complaint earlier. The decision on whether or not to accept a late complaint is taken by the Head of Conduct, Complaints, Appeals (or nominee) and is the final decision of the University.**

How long does the complaint process take?

- **The University endeavours to answer all complaints as soon as possible. Normally the complaint process will be completed within 90 days from the date that a student submits a complaint. If a complaint is complex it may take longer than 90 days and in these circumstances the student will be advised accordingly and provided with updates on the progress of the complaint.**

4. How the University's Student Complaints Procedure operates



5. Stage 1: Informal Resolution

Discuss the problem with the member of staff most directly concerned. This might be your programme leader, supervisor(s) or a person responsible for a particular service. Many complaints can be dealt with informally through discussion and explanation. If you are not sure to whom you should make your complaint, you can ask UPSU Advice (or equivalent in Partner Institutions, your Faculty Office or the Complaints Office for advice or equivalent person in Partner Institutions.

It is important that you seek resolution as soon as is reasonably practicable, and normally within 20 working days of the occurrence of the problem. This increases the possibility of sorting out the problem quickly.

If you choose to submit your informal complaint in writing you should receive an acknowledgement within ten working days and will normally receive a response within 15 working days. If it seems possible that a response will be delayed you will be told why, e.g. the complexity of the case, staff unavailability through illness or professional commitments, etc. and you will be kept informed of progress.

If you remain dissatisfied having approached the member of staff most directly concerned, you should talk to your Head of School or the Head of the Service involved or persons responsible in Partner Institutions. It may still be possible to deal with your complaint informally.

6. Stage 2: Formal Written Complaint

If it has not been possible to resolve your complaint informally you can lodge a formal written complaint via the University's Complaints Office. You should lodge your formal complaint normally no later than 20 working days after you have completed Stage 1.

You should use the complaint form available here as Appendix 2. UPSU Advice can advise you if you have any questions about how to complete the form. Students at Partner Institutions can also access Student Union advice at their respective institutions.

Please send your form to the University Conduct, Complaints and Appeals Office, Plymouth Campus, or by email to complaints@plymouth.ac.uk .

You will receive a written acknowledgement of your complaint from the Complaints Office within five working days. Your complaint will be directed to the most appropriate senior manager, who will then correspond directly with you about your complaint. The acknowledgement letter that you receive from the University's Complaints Office will give the name of this senior manager.

N.B. *If you submit your complaint direct to the Vice-Chancellor, Deputy Vice-Chancellor or other senior manager without having pursued informal resolution first, it will be referred automatically (via the University's Conduct, Complaints and*

Appeals Office) to the appropriate member of staff). You will receive a letter from the University's Conduct, Complaints and Appeals Office advising you that this has happened and the name of the person dealing with the complaint.

You can expect to receive a written acknowledgement of your complaint from the relevant senior manager normally within five working days of it being sent to them by the University's Conduct, Complaints and Appeals Office. The senior manager will then investigate the case. The investigation will include discussing the complaint with any individual directly concerned with the service or action complained of. You should get a full response from them within 20 working days. If it seems possible that a response will be delayed you will be told why, for example due to the complexity of the case, staff unavailability through illness or professional commitments etc. and you will be kept informed of progress.

You will be told of the outcome of the investigation and what, if any, action is to be taken. You may receive an apology or a statement on how systems will be improved for the future. If the University intends to take no further action you will be told why not.

You have the right to ask for reconsideration of the Stage 2 decision in the light of additional information or evidence. The request for reconsideration should be made within ten working days of receiving the decision at Stage 2. All parties should be aware that this is the final opportunity to submit written evidence for consideration. Any further/new evidence from the area/s concerned must be copied to you and you must be given an opportunity to respond to it before the reconsidered decision is made.

7. Stage 3: Referral to a Complaints Panel

It is possible that even after you receive a full written response to your complaint you are not satisfied with the outcome. If this is the case you should write to the University's Complaints Office within **ten working days of receipt of the response to your complaint at stage 2 of the procedure, Complaints submitted at Stage 3 will be reviewed by a Stage 3 Complaint Review Panel only if the complainant is able to demonstrate at least one of the following;**

- **That the Stage 2 response failed to address all of the issues raised.**
- **That the Stage 2 response failed to consider all of the evidence submitted.**
- **That there is evidence of bias in the consideration of the complaint.**
- **That a procedural irregularity occurred in the consideration of the Stage 2 Complaint.**
- **That any remedy offered is unreasonable in all the circumstances.**

Being unhappy with the Stage 2 complaint outcome is not sufficient grounds for the matter to be considered, automatically, at Stage 3. The Conduct, Complaints, and Appeals Office will carry out an initial scrutiny of all Stage 3

Complaints request using the criteria set out above. A reiteration of a Stage 2 complaint is not sufficient grounds for escalating a complaint to Stage 3.

The decision of the Conduct, Complaints, and Appeals Office of whether or not to accept a complaint at Stage 3 is the University's final decision.

The university's Conduct, Complaints and Appeals Office will contact the senior manager responsible for investigating your complaint at Stage 2 and request the pack of all the written evidence used in the original investigation and subsequent reconsideration (if applicable), together with a summary of the reasons for the decision. It is this pack, together with the original complaint, and your statement explaining why you remain dissatisfied with the outcome at Stage 2, which will be put to the Stage 3 Panel. **The Conduct, Complaints and Appeals Office will send you a copy of all the paperwork provided to the Complaint Review Panel, in advance of the Panel meeting. There may be rare occasions on which the paperwork breaches the confidentiality of another student, and on these occasions, that information will be redacted where possible or, if redaction is not possible, exceptionally disclosed to the Panel only (where such disclosure does not put the student at a disadvantage). If a Panel requests additional information during a Panel meeting, the Conduct, Complaints and Appeals Office will send you a copy of this information with your complaint outcome letter.**

The Stage 3 Complaints Review Panel will review the documentation and provide a second opinion for you. No further written evidence will normally be considered at that stage, although if, during its discussion, the Panel considers that there is a need for further material, this may be requested from any of the parties concerned.

If there is a delay in your case going to the next available Panel e.g. because of the complexity of the case or we need to request more information from the Faculty, Partner Institution, from you or from another third party, you will be kept informed and advised of the anticipated date of consideration of your case.

A Complaint Review Panel will comprise a minimum of two staff and one Student Union Officer.

A Complaint Review Panel will normally review a complaint on the basis of the documentation only; a hearing will only be arranged if the Panel believes it is necessary. Further information on the operation and outcomes of Complaint Review Panels can be found as Appendix 1.

8. Referral to the Office of the Independent Adjudicator for Higher Education

The University hopes the above procedure will resolve your problem satisfactorily. Very occasionally, this may not be the case; in this instance, you are able to ask the Office of the Independent Adjudicator for Higher Education (OIA) to review your complaint and the way in which it has been handled by the University. You can only

refer your complaint to the OIA when you have exhausted the University's complaints procedure. At that point, you will be sent a letter by the University confirming that the institution's procedure has concluded; this will contain information on how to contact the OIA.

Further information is available at www.oiahe.org.uk.

9. Appendix 1 – Stage 3 Complaint Review Panels

Preliminaries

A Complaint Review Panel will consider a formal complaint only after a substantive written response has been provided by the appropriate Senior Manager and the complainant remains dissatisfied. The complainant will write to the University's Conduct, Complaints, and Appeals Office indicating the nature of their complaint; what remedy or explanation they have sought; why they remain dissatisfied. The University's Conduct, Complaints, and Appeals Office will contact the senior manager responsible for investigating the complaint at Stage 2 and request the pack of all the written evidence used in the original investigation and any subsequent reconsideration, together with a summary of the reasons for the decision. The documentation will be considered by the Panel, normally at the next meeting. **The Conduct, Complaints and Appeals Office will normally send you a full copy of all paperwork to be considered by the Panel, in advance of the Panel meeting. There may be rare occasions on which the paperwork breaches the confidentiality of another student, and on these occasions, that information will be redacted where possible or, if redaction is not possible, exceptionally disclosed to the Panel only (where such disclosure does not put the student at a disadvantage). If a Panel requests additional information during a Panel meeting, the Conduct, Complaints and Appeals Office will send you a copy of this information with your complaint outcome letter.**

Where a complaint is made against a named member of staff, that individual has a right to provide a written statement in response to the complaint, and to have that statement included in the documentation submitted to the Panel.

Constitution of the Panel

A Complaint Panel will comprise two members of University staff, one of whom will act as chair, and one member of the Students' Union. Panel members will not be from the Faculty or service under complaint. The Panel will be constituted taking into account issues of gender, ethnicity and other equal opportunity considerations where possible. This may require augmentation of the membership of the Panel. The complainant will be advised of the constituency of the Panel.

Workings of the Panel

The Panel will be provided with the relevant documentation collated by the Conduct, Complaints and Appeals Office and will meet to consider the complaint. If the complaint deals with complex or specialist matters, access to relevant expertise will be made available.

The Panel may come to conclusions and make recommendations on the basis of the documentation alone: there is no requirement for a hearing to be held.

If, however, after considering the written material the Panel concludes that a face-to-face hearing would provide a better understanding of the issues, this will be arranged by the University's Conduct, Complaints, and Appeals Office. (See section on "Hearings" below).

Hearings

If a hearing is considered necessary the University's Conduct, Complaints, and Appeals Office will inform the Senior Manager who provided the formal response at Stage 2 that they or their designated deputy will be required to attend the hearing to explain the outcome of their original investigation. The Complainant and Senior Manager will be permitted to arrange for appropriate witnesses to attend the hearing to support the presentation of their case. The Complainant, the Senior Manager and any witnesses can be accompanied by a friend or representative. Depending on the requirements for attendance at the hearing the University's Conduct, Complaints, and Appeals Office will make arrangements for a suitable time and venue for all participants, normally giving ten working days' notice for preparation for the hearing. If, having called a hearing, the Complainant or witnesses do not attend, the Panel can elect to proceed without their presence. The Panel will determine its own procedures at the hearing but this will normally include interviewing the Complainant, the Senior Manager and any witnesses. A record of the proceedings of the hearing will be kept by the University's Conduct, Complaints, and Appeals Office, which will be treated in confidence amongst the participants.

Outcomes

The Complaint Panel will consider its conclusions and recommendations in private. A number of options are available to the Panel, including:

- To endorse the response of the Senior Manager.
- To ask the University's Conduct, Complaints, and Appeals Office to undertake further investigations to assist the Panel in coming to a conclusion.
- To uphold the complaint in whole or in part and make suggestions as to how the situation might be remedied which might include compensation. Compensation may be financial, but must reflect loss (i.e. not punitive damage)

The outcome and the reasons for it will be communicated in writing as soon as possible to the complainant and the Senior Manager by the University's Conduct, Complaints, and Appeals Office.

The complainant will be issued with a "Completion of Procedures" letter by the University's Conduct, Complaints, and Appeals Office once the University's complaints procedure has been exhausted, together with information about the Office of the Independent Adjudicator for Higher Education.

The Senior Manager should advise all members of staff involved in the complaint of the outcome, in an appropriate manner, while recognising that the outcome relates to personal data under the Data Protection Act and is therefore subject to the confidentiality provisions of that legislation.

Appendix 2 – Formal Complaint Form

Plymouth University

Student Complaints Procedure



UNIVERSITY OF
PLYMOUTH

Formal Complaint Form

When to use this form

If you have raised your complaint informally but remain dissatisfied with the outcome, you can use this form to lodge a formal complaint.

If you have already had a response to a formal complaint and wish your case to be referred to a Complaints Panel, you do not need to fill this form in again: please refer to the Complaints Procedure for advice about what you need to do.

About you

Name (in full):

Registration number:

Course:

Stage:

Faculty:

School:

Are you studying at a partner Institution? If so, please state which Institution:

Address at which you can be contacted about your complaint:

Please let us know if your address changes while your complaint is ongoing.

Please indicate any periods when we will be unable to contact you about your complaint:
e.g. holidays:

Telephone number:

Email:

What is your complaint about?

What action have you taken already to try to resolve your complaint?

What response have you received?

What is it about this response that is not satisfactory?

What outcome do you wish your formal complaint to achieve?

Provide any other information about your case that might be important. Please attach the evidence you have to support your case and any documents you are relying on. Continue on a separate sheet if necessary.

Signed:

Date:

Send this form to:

Complaints Office
University of Plymouth
Drake Circus
Plymouth, PL4 8AA

Email: complaints@plymouth.ac.uk