

1 Introduction

1.1 These procedures seek to ensure that complaints against the University made by students are treated seriously and, if found to be valid, are acted upon to ensure that the students' interests are protected as far as it is possible for the University to do so.

1.2 Specific procedures exist already for dealing with the following matters. These are:

- appeals against Assessment Board decisions (taught programmes) or examination decisions of the University Research and Research Degrees Committee (research degrees);
- alleged harassment;
- alleged inequality of opportunity; and
- matters which fall within the remit of the University's student disciplinary procedures.

1.3 Complaints against Middlesex University Students' Union are dealt with by the Union.

1.4 The procedures detailed below are designed for all other forms of student complaints which do not fall within one of the above procedures.

1.5 It should be noted that these complaints procedures are not designed to deal with problems such as: missing course work; unexplained absence of a lecturer; late return of work; accommodation deficiencies etc, except in so far that such concerns are not resolved through simpler procedures or are persistent.

1.6 These complaints procedures and any decisions made under them are not intended to give rise to legal rights, or obligations on the University to pay compensation either in respect of a decision made pursuant to the procedures or for a breach of these procedures. These procedures are intended to facilitate the resolution of grievances by the University. Anonymous complaints will not normally be considered.

2 Principles which underpin the general student complaints procedures

The guiding principles of these procedures are that complaints shall be:

- treated seriously and with fairness;
- dealt with quickly, simply and at the appropriate level of the School, or Service as far as is possible;
- treated consistently across the University;
- subject to the principles of natural justice;
- progressed through two stages – an informal stage and, if necessary, a formal stage;
- dealt with and resolved wherever possible, at the informal stage; and shall be
- without prejudice to a student's or group of students' right to pursue legal remedies outside the University having exhausted the University's complaints procedure.
- In order to be considered, any student complaint must be submitted no more than six calendar months after the event or problem relating to the complaint.

3 Procedures

Informal Stage 1	Informal Stage 2	Formal stage	Appeal
Module leader Programme leader Local manager of service	Head of Academic Department School Director of Resources Manager of service	Dean of School Director of Service Other appropriate member of Senior Management as advised	University Executive or nominee* *normally Head of Student Services

3.1 Informal Stage 1: In the first instance

students who wish to make a complaint shall discuss it with a representative of MUSU, a student adviser (through the appropriate School Student Office), Director of Resources, Equal Opportunities Adviser, or counsellor, who will advise whether or not the complaint is best progressed through:

- the Programme Leader or Board of Studies;
- reference to specific persons who can resolve the problem, eg local manager, Module or Programme Leader, Director of Programmes;
- one of the alternative procedures set out in paragraph 1.2;
- these general complaints procedures.

3.2 Reference to these general complaints procedures should only be necessary in exceptional circumstances since most complaints, other than ones related to persistent problems, should be resolved informally.

3.3 Assuming it is agreed that the complaint shall be progressed through these general procedures, the member of staff consulted shall discuss the complaint fully with the student and – with the student's consent – anyone else involved, to see if it can be resolved informally. This may involve referral of the complaint to a third party. The outcome of complaints dealt with informally should be briefly documented. Normally, complaints handled through Informal Stage 1 shall be dealt with within, at most, 10 working days, briefly documented, and a copy of the outcome sent to the student.

3.4 Informal Stage 2: If the student is dissatisfied with the result of Informal Stage 1, the complaint shall be sent in writing to the Head of the Academic Department responsible for the Programme on which the student is enrolled or to the appropriate Director of Resources, or local manager within 10 working days of the completion of Informal stage 1. They shall investigate the complaint fully and shall seek to achieve an informal resolution of the problem(s), either by correspondence or through discussion with the complainant as soon as possible.

If the complaint directly involves a Dean of School, Director of Resources, or Director of Service it shall proceed directly to the formal stage.

3.5 Formal Stage: If a student is dissatisfied with the result of the two informal stages, they shall proceed to the formal stage. They shall put the

complaint and the reason why they are dissatisfied with the outcome of the two informal stages in writing to a member of Senior Management, ie Dean of School or Director of Service within 10 working days of the completion of Informal Stage 2. This person shall:

- acknowledge receipt of the written complaint within three weekdays;
- advise, in writing and within three weekdays, any member(s) of staff or students involved that a formal complaint has been received; and shall
- consider the evidence, written or otherwise, and, if necessary, hold such discussions with the complainant and any other persons they deem appropriate in order to fully investigate the complaint.

3.6 The member of Senior Management, having fully investigated the complaint over a period not normally exceeding 10 working days from its receipt, shall decide whether:

- the complaint should be progressed through other procedures (eg disciplinary procedures or other procedures indicated in paragraph 1.2) in which case the complaint shall be terminated at this stage; or whether
- there is reasonable justification for the complaint; or whether
- there is no reasonable justification for the complaint.

3.7 The member of Senior Management shall:

- make their decision known in writing to the student and to members of staff or other students involved;
- seek to resolve any justifiable complaint through recommendations which all parties involved in the complaint shall be invited to accept; and shall,
- if the recommendations are agreed, take steps to ensure that they are implemented in full within the agreed time period.

3.8 Appeal

If the student is not satisfied with the decision at the conclusion of the Formal stage or if the recommendations made at this stage are not implemented, they may appeal to a member of the Executive, or their nominee from Senior Management, (Note: normally the Head of Student Services) who did not hear the case under the Formal stage. The student shall submit the appeal in writing within 10 working days of receiving the outcome of the Formal Stage.

The person receiving the appeal shall:

- acknowledge its receipt within three working days;
- inform the Vice-Chancellor that an appeal has been received;
- decide to enforce the implementation of the recommendations made at the end of the Formal stage;
- dismiss the case, giving reasons in writing;
- seek agreement to an alternative set of recommendations;
- determine whether there are sufficient grounds to convene a Student Complaint Panel and, if so, shall
- establish a Student Complaint Panel to hear the appeal.

In such cases the decision shall be final.

3.9 The Student Complaints Panel shall involve four persons. These shall be the member of the Executive, or their nominee from Senior Management who considered the appeal; the Academic Registrar; a student representative appointed by the Students' Union; and a member of Academic Board who has no involvement in the case.

3.10 A Student Complaints Panel shall hear the complaint within ten weekdays of receipt in accordance with the procedures detailed in Appendix 1.

3.11 The Chair of the Panel shall submit, within five weekdays of the last Panel meeting a written report to the Vice-Chancellor. The decision of the Panel shall be final. If necessary the Chair shall have a casting vote.

3.12 The Chair of the Panel shall seek to ensure that any actions arising from the decision of the Panel are taken within the timescale identified in the report and shall report any failure to complete actions to the Vice-Chancellor and to the appropriate Dean of School or Director of Service.

3.13 If the student wishes to take the matter further, he or she may, within three months of receiving notification that the internal procedures of the University have been completed, write to the OIA, Third floor, Kings Reach, 38-50 Kings Road, Reading, RG1 3AA, United Kingdom. They should enclose a copy of the final decision of the University and state the reasons for seeking redress from the Higher Education Independent Adjudicator. Email enquiries may be sent to enquiries@oiahe.org.uk. The web address is www.oiahe.org.uk

4 Notes

4.1 In these procedures:

- reference to a student is taken to mean an individual student or groups of students; it includes research students and members of staff registered on University programmes in their capacity as students;
- In the absence (eg vacation or illness) of the person holding a named post in the procedures the person deputising for them during the time of their absence shall substitute. In cases when

the complaint involves the nominated deputy, a member of the Executive or nominee from Senior Management shall be consulted and shall determine who shall be responsible for handling the complaint.

- the University will hear and consider a complaint only if lodged by a student or group of students themselves and will not deal with third parties, even with the permission of the student(s), unless in exceptional circumstances which prevent a student representing themselves. The student(s) is(are) entitled, however, to be supported in any complaint hearing by an individual who will be a staff or student member of the University, or a Students' Union Representative. Legal representation is not allowed at hearing other than in exceptional circumstances and with the express permission of the Chair of the Panel not less than 24 hours prior to the meeting.

4.2 Interpretation:

- the Academic Registrar is responsible for interpreting these procedures and his/her decision shall be final except in cases where the interpretation involves a complaint against the Academic Registrar or Academic Registry in which case interpretation of the procedures shall be the responsibility of a member of the Executive or their nominee from Senior Management.

- 'working day' refers to a day on which the University is normally open; it does not include Saturday, Sunday, Bank Holidays, or other designated periods of closure outside

Appendix 1

Procedural rules for the conduct of Student Complaints Panel hearings:

1 Hearings shall take place in the University at dates and times notified in writing to the student, members of staff and other students concerned at least five working days before the hearing.

2 The Chair of the hearing shall, at the same time as they notify the date of the meeting, indicate the names of any persons that the Panel intends to call to give evidence together with a copy of any statement obtained from those persons which are to be referred to at the hearing.

3 Students and staff members involved directly in the complaint may be accompanied by an individual of their choosing, who will be a student or staff member of the University or a Students' Union representative. If the student or staff member involved intends to be accompanied, the name and address of the accompanying person shall be notified to the Academic Registrar not less than 24 hours prior to the meeting of the Panel. Legal representation is not allowed at a hearing other than in exceptional circumstances with the discretion of the Chair of the Panel.

4 Student and staff members involved directly in the complaint and persons accompanying them shall be permitted to question any persons giving evidence to the meeting and to directly address the Student Complaint Panel.

5 If a student or member of staff wishes to introduce documents to the Panel they shall supply copies of all such documents to the Academic Registrar at least three working days

before the date of the hearing. The Academic Registrar shall ensure these papers are circulated as soon as possible to the other party and to all members of the Panel. The Chair of the Panel may decide to give time to examine the documents by adjourning or delaying the meeting of the Panel for a period of up to five working days.

6 The Panel shall meet in private.

7 The Panel shall initially decide and then inform all parties concerned how it will conduct the hearing subject to the procedures being consistent with the principles of these general complaints procedures and of these procedural rules.

8 The Panel shall establish the exact nature of the complaint, establish the facts as far as it is possible to do so, consider the facts, determine its decision and report its decision in writing within five working days to the Vice-Chancellor copied to all parties involved in hearing the complaint.

These General Student Complaints and Grievance Procedures were adopted by Academic Board at its meeting on 6 July 1998 and are reviewed annually.