

STUDENT COMPLAINTS AND GRIEVANCE PROCEDURES**1 Introduction**

1.1 The University is committed to providing a high quality experience for each student and encourages students to inform it where there is any cause for concern. The University's Student Complaints and Grievance Procedures therefore exist to enable students to make complaints about such matters.

1.2 These procedures seek to ensure that complaints 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.

2 Definition and Scope

2.1 A complaint is defined as an expression of dissatisfaction about matters that affect the quality of the student's learning experience, or about a standard of service provided by or on behalf of Middlesex University.

2.2 These Regulations cover all students registered on programmes at Middlesex University's London campus, including research students, members of staff registered on University programmes, and those on work placements, engaged in work-based learning field trips, approved student exchange visits or during periods of approved interruption of studies. Overseas campuses follow the University regulations with the process administered by equivalent post holders. Former students may raise issues of complaint within the timescales stated in 3 below.

2.3 Students studying on Collaborative Partner programmes should refer to Appendix A. The complaints regulations and policy to be followed for other types of partnership programme will depend on the nature of the partnership; information will be set out in the Memorandum of Agreement and in the student's programme handbook which are available to the student.

2.4 The Regulation on Student Complaints does not cover the following (separate procedures exist for these as noted in brackets):

- a) appeals against Assessment Board decisions (taught programmes) or examination decisions of the University Research Degrees Board (research degrees);
- b) complaints relating to a case of alleged misconduct by the complainant (student conduct and discipline regulations)
- c) matters relating to fitness to practice where there is an existing relevant fitness to practice procedure (Faculty/School fitness to practice procedures)
- d) Complaints against Middlesex University Students Union are dealt with by the Union

2.5 The University reserves the right to reclassify a complaint as an academic appeal or vice versa, if the submission is deemed to have been made to the incorrect procedure, or the submission falls properly within the remit of one procedure rather than the other. The outcome of an appeal cannot be made the subject of a complaint except where there is possible material error in arriving at the decision.

2.6 The final decision regarding a matter raised under this Complaints Regulation or any of the associated procedures shall be considered to be the final decision of the University. There is no right to further consideration of the same matter under a different associated policy.

2.7 Each complaint will be considered on its own merits, subject to all legal and professional requirements.

2.8 A student will not be treated less favourably by the University or suffer any detriment or disadvantage if s/he makes a complaint in good faith, regardless of whether the complaint is successful. Anonymous or vexatious complaints will not normally be considered and the latter may lead to action under the Student Conduct and Discipline procedures.

2.9 Any member of staff mentioned in a complaint will not be treated less favourably by the University than if the complaint had not been brought. If, however, the complaint against a member of staff is upheld, that member may be subject to disciplinary proceedings under

University policy for staff.

2.10 These internal regulations of the University and their associated policies and guidance will be operated in accordance with its Equal Opportunities Statement and Equality and Diversity Objective. Complaints will be handled with an appropriate level of confidentiality. There is an expectation that students and staff members will treat both the complaints processes and each other with respect.

3 Timeframe for making a complaint

3.1 A student who is, or was recently a registered student, or a group of students wishing to complain should normally do so within 3 months of the event which has given rise to the complaint or, if a series of events has given rise to a complaint, within 3 months of the final event in the series.

4 Delegation of responsibility

4.1 The Vice Chancellor delegates responsibility for dealing with student complaints as follows:

- Stage 1 (Early Resolution) student complaints are dealt with by the appropriate Faculty/Schools and/or Professional Services departments as applicable.
- Stage 2 (Formal Stage) student complaints are dealt with by the appropriate Deputy Deans of Faculty/Schools (Deans normally assign responsibility for managing student complaints to a Faculty/School Senior Manager) or Head of Professional Service.
- Stage 3 (University-Level Review) investigations are managed by the on behalf of the Vice Chancellor. The Director of Student Affairs normally nominates a Senior Manager from a Faculty/School or Professional Service that was not involved in the Stage 2 process to carry out the review.

5 Complaints Procedure Stages

5.1 Stage 1: Early Resolution

- i. Initially, a student should seek to deal with his/her complaint at the level at which the event leading to the complaint occurred. This could be either at programme level, Faculty/School-level or within the relevant service department.
- ii. A student should, if at all possible, address his/her complaint to the member of staff most directly involved in the event leading to the complaint, in order to give that person the opportunity to address his/her concerns.
- iii. If for any reason the student does not feel that this is possible, s/he should seek advice from the Faculty/School Leadership Executive Officer (or equivalent) or the Director/Head of the professional service department in order to identify an appropriate alternative mechanism of early resolution. If necessary the Faculty/School Leadership Executive Officer (or equivalent) will nominate an Investigating Officer to deal with the student's complaint.
- iv. Every effort will be made by the Investigating Officer to enable the clear articulation of the issue and to resolve the complaint simply and quickly. The Investigating Officer may invite the student to a meeting to discuss the matter in an attempt to reach a resolution.
- v. Stage 1 complaints will be dealt with in a timely fashion. Those involved in investigating the complaint will establish appropriate timescales based on its nature and complexity. These timescales should be communicated to the student and the student kept informed of any changes. Where possible, the investigation should be completed within 28 working days.
- vi. At the end of Stage 1, a student will be provided with a written response to his/her complaint, copied to the Director of Student Affairs, which will either:
 - Detail the proposed resolution; OR
 - If no resolution has been proposed, explain why resolution has not been considered to be possible.

5.2 Stage 2: Formal Complaint

- i. If a student is not satisfied with the outcome of Stage 1, s/he may choose to submit a Stage 2 complaint, by completing the Complaints Form. This should be done within 21 working days of the release of the written response to Stage 1. A Stage 2 complaint will

- normally only be considered following the completion of the early resolution stage.
- ii. A student wishing to submit a Stage 2 complaint should do so to:
 - the Deputy Dean (for academic programme or Faculty/School-related complaints), or
 - the Head of the relevant service department or his/her nominee (for service related complaints).
 - iii. If the Deputy Dean or Head of the service department was involved in the case at Stage 1, s/he will nominate an appropriate alternative individual to consider the case. If no appropriate individual can be found within the Faculty/School or service department, s/he shall refer it to the Director of Student Affairs, who will then assign the case to an appropriate individual.
 - iv. The receipt of the complaint form will normally be acknowledged within 7 working days.
 - v. The Deputy Dean or his/her nominee or Head of the relevant service department or his/her nominee will consider the case appropriately. This will normally involve discussions with the student and/or the subject of the complaint.
 - vi. Complaints will be dealt with in a timely fashion. The Faculty/School Deputy Dean or Head of the relevant service department will establish appropriate timescales based on the nature and complexity of the complaint. These timescales should be communicated to the student and the student kept informed of any changes. Where possible, complaints should normally take no more than 21 working days to investigate from the acknowledgement being sent.
 - vii. The Faculty/School Deputy Dean or his/her nominee or the Head of the relevant service department or his/her nominee will inform the complainant, the subject of the complaint and the Director of Student Affairs, in writing, of the outcome of the investigation.
 - viii. Following the outcome of Stage 2: Formal Complaint, the student may request an internal review under section 5.3 of these regulations;
- Or,
- Students who wish to approach the OIA for review, and who are not seeking an internal review under section 5.3 of these regulations, will require a Completion of Procedures Letter to be issued by the University. A request for this letter must be made by email to the Student Casework Manager within 28 working days of the date of the Stage 2: Formal Complaint Outcome. The Completion of Procedures letter will state that the student has not completed the University's internal processes. The student will be required to present exceptional reasons to the OIA for not requesting the University to review the appeal.
- ix. A summary of the outcome will be reported to the Faculty/School Quality Committee or equivalent.

5.3 Stage 3: University-level review

- i. If a student considers that:
 - a) there has been a procedural irregularity in the conduct of the Stage 2 investigation; or
 - b) new information has come to light, which the student was unable to disclose previously and which would have had a material impact upon the investigation previously undertaken.
 - c) the decision reached was unreasonable based on the information that had been available to the University when the case was considered.

Then s/he can request a review of the outcome of the Stage 2 investigation. A student wishing to request a review must do so within 21 working days of the written response to Stage 2. The review request must be submitted to the Director of Student Affairs using the University Level Review Form (ULR).

- ii. This is not a reopening of the original complaint. Dissatisfaction with the outcome of the appeal is not alone a valid reason for requesting a review.
- iii. The receipt of a review request will normally be acknowledged within 7 working days.
- iv. The review will be carried out by a designated Senior Manager. The review will consider whether the outcome of Stage 2 was reasonable, or should be re-considered in the light of new information, rather than reconsider the original case and its evidence.
- v. Further discussions may be held with the student and/or subject of the complaint and with members of staff involved at Stage 1 and/or Stage 2.
- vi. Where possible, reviews should normally take no more than 21 working days to investigate from the acknowledgement being sent. The Senior Manager undertaking the review will establish appropriate timescales based on the nature and complexity of the

- case. These timescales should be communicated to the student and the student kept informed of any changes.
- vii. The Senior Manager will inform the complainant, the subject of the complaint and the Director of Student Affairs, in writing, of the outcome of the investigation.
 - viii. An annual report of student complaints prepared by the Director of Student Affairs, will be received by Assurance Committee.

5.4 The Office of the Independent Adjudicator

When the University's internal procedures have been concluded a student will be issued with a Completion of Procedures (CoP) letter, normally from the Director of Student Affairs. Following this, a student who is dissatisfied with the final decision on his/her case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at: www.oiahe.org.uk

NOTES

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. Anonymous complaints will not normally be considered. 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 (selves). 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 meetings other than in exceptional circumstances and with the express permission of the investigating officer not less than 24 hours prior to the meeting.

Appendix A

Complaints from students studying at Collaborative Partner Institutions are subject to the definition in 2.4.

The University validates programmes offered at other institutions leading to awards of the University. The University has overarching responsibility for the quality and standards of the academic programmes offered by these institutions. Provision is therefore made for a student studying at a partner institution to complain to the University on matters related to the quality of his/her academic programme. This complaint can only occur following completion of the Collaborative Partner Institution's complaints procedures.

A. Initial Complaints Procedure

A student on a programme validated by the University who wishes to complain should follow one of the following courses of action depending on the nature of his/her complaint:

- 1) Complaints associated with non-academic matters, except those which relate to one of the University's services, must be pursued in accordance with the Collaborative Partner Institution's own complaints policy and procedures.
- 2) Complaints on matters related to the academic programme should first be pursued in accordance with the Collaborative Partner Institution's own complaints policy and procedures.
- 3) If, following completion of those procedures, a student considers the outcome to be unsatisfactory, s/he can request a review of the investigation by the University based on the criteria outlined in Section B below.
- 4) The student is required to submit the following to the Director of Student Affairs within 21 working days of receiving written confirmation of the final outcome of the investigation from the Collaborative Partner Institution:
 - The CPULR (Collaborative Partner University Review) form;
 - The Completion of Procedure Letter with details of the final outcome of the Collaborative Partner Institution investigation;
 - Any other supporting documentation.
- 5) The Centre for Academic Partnerships is responsible for obtaining the internal complaints procedure/policy from the partner institution.

- 6) Complaints associated with one of the University's services should be pursued in accordance with the University's Complaints Regulations. If a student wishes to complain s/he should seek advice from the Director of Student Affairs at Middlesex University.

B. University-level review

- 1) If a student considers that:
 - a) there has been a procedural irregularity in the investigation of a complaint regarding a matter related to his/her academic programme carried out by the Collaborative Partner Institution.
 - b) new information has come to light, which the student was unable to disclose previously and which would have had a material impact upon the investigation previously undertaken.
 - c) the decision reached was unreasonable based on the information that had been available to the collaborative Partner Institution when the case was considered.

s/he can request a review of the outcome of the investigation carried out by the Collaborative Partner Institution by completing the Collaborative Partner University Level Review Form (CPULR).

- 2) The student is expected to submit the CPULR form and all supporting documentation within 21 working days of receiving written confirmation from the Collaborative Partner Institution of the final outcome of the Collaborative Partner Institution investigation. The CPULR form must be submitted to the Director of Student Affairs.
- 3) The receipt of CPULR form will normally be acknowledged within 7 working days, and the Collaborative Partner Institution informed of the nature and substance of the complaint.
- 4) The CPULR form will be reviewed by the Director of Student Affairs or nominee. The University review will consider whether a) there has been a procedural irregularity in the investigation of the complaint by the Collaborative Partner Institution, or b) any new evidence has come to light which would have had a material impact on the investigation (See B1a and B1b). Discussions may be held with the student and/or subject of the complaint and with members of staff involved in the Collaborative Partner Institution's investigation process.
- 5) Where possible, reviews should normally take no more than 21 working days to investigate from the acknowledgement being sent. The Director of Student Affairs or nominee will establish appropriate timescales based on the nature and complexity of the case. These timescales should be communicated to the student and the student kept informed of any changes.
- 6) The Director of Student Affairs or nominee will inform all parties of the proposed outcome of his/her investigation and give all parties the opportunity to comment. Following consideration of any comments, the Director of Student Affairs or nominee will communicate the outcome of the review, with reasons and in writing, to all the parties within 21 working days.
- 7) An annual summary report of student complaints in relation to Collaborative Partner Institutions, prepared by the Director of Student Affairs, will be received by Academic Board.

C. The Office of the Independent Adjudicator

When the review has been concluded the student will be issued with a Completion of Procedures (CoP) letter. Following this, any student who is dissatisfied with the final decision on his/her case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at: www.oiahe.org.uk/.