



## COMPLAINTS PROCEDURE

<b>Name of procedure :</b>	Complaints Procedure
<b>Purpose of procedure :</b>	To provide details of the processes for making a complaint against the University and its staff.
<b>Approval for this procedure given by :</b>	Academic Board
<b>Responsibility for its update :</b>	Director of Student and Academic Services
<b>Procedure applies to :</b>	Current or previous students of the University or anyone seeking or receiving a service from the University or anyone who is affected by its activities
<b>Date of Approval :</b>	July 2016
<b>Proposed Date of Review :</b>	July 2017

### 1. Introduction

Staffordshire University is committed to monitoring and evaluating its services to enhance their quality and ensure that they meet the standards outlined in our Student Charter and other appropriate policies and regulations.

All complaints are given full consideration and you will not be disadvantaged for making a genuine complaint. The University expects that complainants will not engage in frivolous or vexatious complaints. Where a complainant fails to provide reasonable evidence to substantiate their allegations, the University reserves the right not to progress the complaint further. Students who do submit frivolous or vexatious complaints may be subject to Student Disciplinary Proceedings.

The University also expects that a complainant, or representative, will pursue any complaint in a proper manner which is compatible with the Student Behaviour and Fitness to Study Policy. Should the Director of Student and Academic Services consider that a complainant is pursuing a complaint in a manner which is contrary to the Student Behaviour Policy and Fitness to Study Policy, the University reserves the right to invoke the Student Disciplinary Procedure or terminate the complaint investigation.

The University also has in place a variety of mechanisms to ensure that students have the opportunity to take part in the decision making processes of the University at award, School and institutional levels and we hope and expect that students will take full advantage of these in making their views known.

Regular student feedback is also gathered through a variety of questionnaires and surveys that help us to use our resources in the best way possible to meet student needs.

We recognise that there may be occasions when these information and feedback mechanisms are not sufficient to deal with problems that may occur from time to time. For this reason we have introduced a formal complaints procedure to ensure that your complaints and comments are dealt with in an efficient and professional manner.

The complaints procedure aims to:

- be easily accessible
- resolve complaints informally at local level wherever possible
- encourage prompt review and decision making, with established time frames for action
- ensure a full and fair investigation
- respect complainants' desire for confidentiality wherever possible
- provide an effective response and appropriate redress
- feed back into University systems to ensure that services are improved

## **2. Frivolous or vexatious complaints**

### **What is a frivolous or vexatious complaint?**

A frivolous or vexatious complaint can be characterised in a number of ways:

- obsessive, persistent, harassing, prolific, repetitious;
- pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- pursuing meritorious complaints in an unreasonable manner;
- designed to cause disruption or annoyance;
- demands for redress which lack any serious purpose or value.

We understand that if a student contacts us with what they believe is a complaint, then it is a complaint to them, whatever others might think. We are sensitive to the fact that if the student raises the same or similar issues repeatedly despite receiving a full response, there may be underlying reasons for this persistence. Deciding whether a request is frivolous or vexatious has no rigid test or definition, although it will often be easy to recognise. Our main consideration will be the issues raised in the complaint rather than the behaviour of the student bringing the complaint.

If we decide that a complaint is frivolous or vexatious, we will write to the complainant explaining that we are terminating our consideration of the complaint. We will give reasons for our decision. If the complainant wishes to appeal against our decision, he or she can do so by writing to the Executive Director of Corporate Services, who will review the information on the file, including any representations the complainant has made, and decide whether to confirm the decision that the complaint is frivolous or vexatious, or to reopen our review.

### **3. What Is A Complaint?**

A student complaint is defined as:

'an expression of dissatisfaction by one or more students about a University's action or lack of action, or about the standard of service provided by or on behalf of the University'

(OIA Good Practice Framework for handling complaints and academic appeals, 2014)

Examples of complaints include:

- standards of service
- actions or lack of actions by the University or its staff
- provisions of the University affecting individuals, students, customers or clients of any group
- incidents which are defined as being any form of abuse, harassment or bullying including those related to gender, race, physical abilities, sexual orientation, religion or age.

The complaints procedure does **NOT** cover:

- requests for new or different services or provision
- review of examination boards decisions (appeals) and review of extenuating circumstances decisions  
[http://www.staffs.ac.uk/assets/rev\\_of\\_exam\\_board\\_tcm44-26765.pdf](http://www.staffs.ac.uk/assets/rev_of_exam_board_tcm44-26765.pdf)
- students' union procedures <http://www.staffsunion.com>
- disciplinary procedures  
[http://www.staffs.ac.uk/assets/student\\_disciplinary\\_tcm44-26980.pdf](http://www.staffs.ac.uk/assets/student_disciplinary_tcm44-26980.pdf)
- staff grievance procedures  
[http://www.staffs.ac.uk/assets/internal/grievance\\_tcm44-26220.pdf](http://www.staffs.ac.uk/assets/internal/grievance_tcm44-26220.pdf)

These are covered by separate policies and procedures, details of which can be found on the attached links and are contained in the General Regulations for Students or from Human Resources and Organisational Development for staff grievances.

However, if having considered your complaint, the Academic Regulations and Compliance Officer or nominee believes that it should be considered in accordance with the Procedure for a student to appeal against an Assessment/Award Board decision, your complaint will be re-classified and you will be notified of this.

#### **4. Who Can Complain?**

- current or previous students (studying at Staffordshire University within the last 3 months), individually or in a group
- anyone seeking or receiving a service from the University or anyone who is affected by the activities of the University.

We can only take action on anonymous complaints in exceptional circumstances. If, as a reasonable adjustment, you require your complaint to be submitted through a third party, the complaint must include all of your details and you will need to provide written permission for the party to act on your behalf. The University may still need to speak to you directly regarding your complaint. If the complaint applies to a group or cohort of students, then it is expected that one person will act as a group representative and all communication will be through this representative. All students wishing to be considered as part of a group complaint will need to provide their name, student number and signature agreeing to the details within the complaint.

#### **5. Before You Complain**

- please think about using our feedback mechanisms
- talk to us informally about levels of service – sometimes we are constrained by external policy decisions or resources in what services we can provide

- if you are a student, talk to staff in the Students' Union Advice Centre or to your Student Guidance Advisor.

## **6. If You Decide To Complain**

The University will:

- handle your complaint in a quick, polite and straightforward way
- investigate your complaint thoroughly and impartially
- endeavour to keep you informed at all stages of the process
- ensure that students, in particular, are not disadvantaged in any way by reason of raising the complaint.

## **7. Stage 1 (Informal)**

We try to resolve any complaint informally at the point at which the problem arose. Many apparent concerns arise from misunderstandings that can quickly be resolved by talking through the matter. In the first instance you should:

- telephone the appropriate member of staff
- Or
- make an appointment to see the appropriate member of staff.
- Or
- email the appropriate member of staff

If you wish to complain about your treatment by a specific individual, you should approach this person in the first instance.

If you would rather talk informally with the Student Guidance Advisor, please do so. S/he will listen to your complaint and liaise with the School concerned to try to resolve the issues informally. Your request will be dealt with as promptly as possible.

Alternatively, you can discuss the matter with another member of staff within the School (such as the module or course leader) or Service to which your complaint is related. Please contact the School/Service for more information.

If the source of your complaint is a matter of University policy or practice, please try to identify the relevant person to contact from the list at the end of this document. The Student Guidance Officers or the Student Advice Centre in the Students' Union can also offer you advice.

## **8. Stage 2 (Formal)**

If, having attempted to resolve the complaint informally, you consider that the matter has not been satisfactorily resolved, you should complete a Complaints Form (Form C1) available at [http://www.staffs.ac.uk/assets/Form%20C1\\_tcm44-93100.pdf](http://www.staffs.ac.uk/assets/Form%20C1_tcm44-93100.pdf). You must complete the form within 20 working days of the incident giving rise to the complaint. Complaints received after this timescale will only be considered in exceptional circumstances. You should clearly indicate on the form

what remedy you are seeking as a result of your complaint and what the key issues are in your complaint. The Student Advice Centre in the Students' Union or your Student Guidance Advisor will be pleased to offer you advice in completing the form.

The completed complaints form should then be forwarded to the Academic Regulations and Compliance Team by emailing [regulations@staffs.ac.uk](mailto:regulations@staffs.ac.uk) who will acknowledge its receipt within 5 working days. If you have not attempted to resolve your complaint informally, the Academic Regulations and Compliance Team reserve the right to refer your complaint to the School or Service implicated for an informal resolution. You will be informed if this is the case.

If it is decided that your complaint requires a formal investigation an Investigating Officer within the appropriate School or Service will be appointed. The Investigating Officer has the right to meet with and interview any person referred to in the complaint. In addition, if the complaint refers to the actions and/or behaviour of an individual, that individual will have the right to be interviewed in order to respond to such allegations or submit a written statement. If your complaint is about the Director of Student and Academic Services, please send it to the Executive Director of Corporate Services

A response will normally be sent to you within 25 working days. If the complaint is likely to take longer than this to investigate, we will keep you informed of progress on a regular basis. If your complaint is upheld, our response will let you know what action the University intends to take, for example a formal apology, a statement on how systems will be changed in the future, or a referral to a School or Service to re-examine their procedures. If your complaint relates to another student or member of staff which leads to the initiation of the appropriate disciplinary procedures you will not be informed of the outcome of those procedures.

### **9. Stage 3**

If you are dissatisfied with the outcome of the Stage 2 response, you may submit a request for a review of the Stage 2 decision which must be based on one (or more) of the following grounds:

- a) there is new evidence that would have significantly affected the Stage 2 outcome and which could not reasonably have been made available when the Stage 2 complaint was submitted;
- b) that there was a material procedural irregularity with regard to the Stage 2 complaint which demonstrably affected the outcome of the claim;
- c) that the decision in relation to the Stage 2 complaint was manifestly perverse. In this context, perverse is taken to mean that the Stage 2 decision was not a possible conclusion that a similar Stage 2 investigation might have reached.

You must submit the following documentation:

- a letter outlining your grounds for challenging the Stage 2 outcome;
- any new evidence and an explanation about why it was not available at the time of the original complaint.

The documentation above must be submitted to the Director of Student and Academic Services within 10 working days of the date of the Stage 2 outcome. Requests submitted after that timescale will not normally be considered and a Completion of Procedures letter will be issued if the Stage 3 complaint is considered to be out of time.

Upon receipt of a Stage 3 complaint, the complaint and previous documentation will be reviewed. Following completion of the review, the Director of Student and Academic Services will notify you whether you have established grounds to refer your case to the Complaints Review Panel.

If there are grounds, the Complaints Review Panel will be convened within 20 working days of the decision of the Director of Student and Academic Services. If appropriate grounds have not been established, a Completion of Procedures letter will be issued.

## **10. Complaints Review Panel**

The Complaints Review Panel will have access to all prior correspondence and the results of the initial investigation. The panel has the right to meet with and interview any person referred to in the complaint. In addition, if the complaint refers to the actions and/or behaviour of an individual, that individual will have the right to appear before the panel to respond to such allegations or submit a written statement.

As the Complaints Procedure is internal to the University, if you are a current or previous student of the University you may only be accompanied and represented by a representative of the Students' Union or a fellow student. Staffordshire University Students' Union operates a reciprocal agreement with the Students' Union at Keele University. This is to ensure that where multiple parties in a case require Students' Union representation, this can be supported. In exceptional circumstances, where the University would be required to report its findings to the appropriate professional body, and this would be wholly determinative or significantly influence your right to practice in your chosen profession, legal representation may be permitted. In those circumstances, the University also retains the right to engage legal representation. You should submit your request to attend with legal representation within five working days and the Director of Student and Academic Services will decide if such representation is permitted. The University will pay reasonable, standard rate travel expenses incurred as a result of your attendance at the hearing. The right

to be represented also applies to any individual who is the subject of a complaint.

You will normally receive written confirmation of the Panel's conclusions and any subsequent action that the University intends to take within 5 working days of the end of the hearing. The outcome of the hearing will be kept alongside other relevant papers in the office of the Director of Student and Academic Services.

The decision of the Complaints Review Panel is the final stage of the University's complaints procedure.

#### Membership of the Complaints Review Panel

- A member of the University Senior Leadership Team (Chair)
- A member of the Board of Governors with no connection to the complainant or an independent person from a panel of independent persons approved from time to time by the Vice Chancellor
- President of the Students' Union or nominee

The Secretary to the Review Panel shall be the Director of Student and Academic Services or nominee. The Secretary to the Review Panel will not be part of the decision making process.

### **11. Students on Distance Learning awards and those studying at Partner Colleges in the UK and overseas**

Students studying at a Partner College in the UK and overseas should, in the first instance, use the Complaints Procedures for that institution. If you remain dissatisfied with your complaint outcome, you can apply to the Director of Student and Academic Services to request a review of your complaint as detailed in section 8 of this procedure.

It is recognised that attendance at a hearing or interview in the University might be problematic for students on distance learning awards or studying at Partner Colleges in the UK or overseas.

Such students will therefore be given the opportunity to:

- attend a hearing or interview in the University OR
- attend a hearing or interview in one of the University's Partner Colleges with the permission of that Partner College. Video conferencing of such a hearing or interview will be considered where appropriate OR
- respond by correspondence to an identified member of staff in the University in accordance with the particular stage of these procedures.

In all such cases, the timescales for replying to students and requiring replies from students will need to be adjusted. However, both the student and the

University will be expected to fulfill their respective responsibilities within a reasonable timeframe.

## **12. Confidentiality**

As far as is practicable, confidentiality shall be preserved in the investigation of a complaint. Such an approach is in the interest of both the complainant and any individual members of staff involved. If, however, you name another person in your complaint, we believe that normally they should know what is said about them and who is making the complaint. The University may also take action if a complaint is found to be malicious or vexatious.

## **13. Disabled Students**

We take our responsibilities to disabled students seriously. If you need us to make reasonable adjustments in order that you can attend a hearing or interview, please let us know in advance and we will aim to meet your individual needs. This could mean us relocating the hearing to a more accessible venue and/or making arrangements for a communicator or advocate to be present at the hearing. To enable us to do this, please contact the Director of Student and Academic Services on 01782 294960, or email [regulations@staffs.ac.uk](mailto:regulations@staffs.ac.uk) at least 7 days before the hearing.

## **14. Equality and Diversity**

Staffordshire University is committed to ensuring that anyone who studies, works at or interacts with the University will experience a culture of openness in which everyone is valued equally and respected.

We will not tolerate any individual being subjected to abuse, harassment or bullying particularly because of their gender, race, physical abilities, sexual orientation, religion or age. If you have been subjected to abuse, harassment or bullying for any reason, please inform us and we will endeavour to act upon your request.

## **15. Legal Notice**

**The University reserves the right to suspend investigations into your complaint if a legal challenge is issued against the University or if there is a police investigation ongoing in relation to your complaint.**

## **16. Who To Contact For Advice**

Director of Student and Academic Services, Stoke campus, email:  
regulations@staffs.ac.uk

Students' Union Advice Centre, Stoke campus, extension 4629

Equality and Diversity Team (in relation to hate incidents), extension 2775

Student Guidance Advisors -

[http://www.staffs.ac.uk/support\\_depts/studentguidance/advisors/](http://www.staffs.ac.uk/support_depts/studentguidance/advisors/)

A full list of Deans and Directors of Service is given at the end of this document.

## **17. The Office of the Independent Adjudicator for Higher Education**

Staffordshire University is a member of the Office of the Independent Adjudicator's complaints handling scheme. If you have completed all the stages of the University's Complaints Procedure, but remain dissatisfied with the University's response to your complaint, you may apply to the Office of the Independent Adjudicator for Higher Education at the following address:

Office of the Independent Adjudicator for Higher Education

Second Floor

Abbey Gate

57-75 Kings Road

Reading

RG1 3AB

Tel: 0118 959 9813

Email: [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk)

To use this service, you will need a Completion of Procedures letter from the University. This is provided automatically when you have completed the Complaint's Procedures. If at any stage you feel that you do not have grounds to continue to the next stage of the process, you can request a Completion of Procedure letter. Scheme Application Forms, and guidance on how to apply to the Office of the Independent Adjudicator, are available from the University Information Centres at Stafford and Stoke campuses. Alternatively, you can access the OIA website via the University's online Complaints Procedure.

<b>Area of work or policy</b>	<b>Informal Contact</b>	<b>Senior Manager responsible</b>	<b>Other ways of letting us know your comments/relevant committees</b>
<b>Learning environment:</b> Course delivery and/or supervision	module tutor, course leader	Head of Department	Programme Management Committees, Student Academic Representatives
Learning resources and study support	School staff, Information Services staff	Director of Information Services/Head of Department	Library suggestion scheme, Programme Management Committees
Computing equipment	School technicians or Information Services staff	Director of Information Services/Head of Department	
<b>Equal Opportunities:</b> General Issues and hate incidents	course leader, personal tutor, Students' Union officers, Equality and Diversity Team	Director of Student and Academic Services	Diversity Committee
Harassment and bullying	Equality and Diversity Team	Director of Student and Academic Services	
<b>Admissions Procedures:</b> General issues	course admissions tutor,	Head of Admissions and Enrolment	Recruitment Strategy Group
Disabled Students	course admissions tutor, Head of Admissions, Head of Student Enabling Centre		
<b>University Services:</b> Counselling Multi Faith Chaplaincy Student Enabling Centre Nursery Student health services	) ) individual staff member from within the service or ) Head of the relevant Service	Head of Student Services	
Careers	Head of Careers	Head of Research Business and Enterprise Services	
Accommodation	Accommodation office staff or Accommodation Manager	Head of Campus and Operational Services	
Catering	Commercial Services staff	Head of Campus and Operational Services	
Sport and Recreation	Head of Sport	Head of Campus and Operational Services	

**Administration:**

Modular undergraduate awards	Student and Course Administration Team Leader	Head of Student and Course Administration	
Modular Masters awards	Student and Course Administration Team Leader	Head of Student and Course Administration	
Admissions	Admissions Team Leader	Head of Admissions and Enrolment	Recruitment Strategy Group
Examinations and awards	Student and Course Administration Team Leader	Head of Student and Course Administration	
Student records, grants, loans	Fees and Bursaries Officer	Director of Student and Academic Services	
Invoices for tuition fees or accommodation fees	Head of Income	Head of Finance	
Research student administration	Graduate School Administrator	Dean of Academic Policy and Development	
<b>External Activities</b>			
Business Engagement	Enterprise and Commercial Development staff	Head of Research Business and Employability Services	
Marketing	Marketing staff	Director of Marketing and PR	
Press and PR	Head of Press and PR	Director of Marketing and PR	
Partner Colleges	Partnership Office staff	Director of Partnerships	
<b>Campus and Buildings:</b>			
Student residences	Halls Manager	Head of Campus and Operational Services	
General University buildings	Head of Buildings and Estates	Director of Estates and Commercial Services	
Health and safety issues	Health and Safety Officer	Senior HR Business Partner	Health & Safety Committee
<b>Students' Union</b>	Students' Union officers	Union President	Students' Union General Meetings

## **Executive Team**

Professor Liz Barnes , Vice-Chancellor

Rosy Crehan, Deputy Vice Chancellor (Academic)

Professor Allan Howells, Deputy Vice Chancellor (Research, Enterprise and External)

Margaret Monckton, Director of Finance & Infrastructure and Deputy Chief Executive

Ian Blachford, Executive Director of Corporate Services

## **Deans and Directors of Service**

Professor Hastings McKenzie Dean, School of Computing, Engineering and Sciences

Dr Nigel Thomas, Dean, School of Health Sciences

Dr Astrid Herhoffer, Dean, School of Arts and Creative Technologies

Dr Peter Jones, Dean, Business and Law

Jim Pugh, Head of the School of Education

Noel Morrison, Director of Student and Academic Services

Rebecca Penny, Director of Quality Improvement and Standards

Howard Whiteley, Director of Information Services

Georgina Kelly, Director of Marketing and PR

Chris Slade, Director of Partnerships

John Adlen Head of Research Business and Employability Services

Linda Degg, Director of Estates and Commercial Services

**Equality issues have been taken into account during the development of this policy and all protected characteristics have been considered as part of the Equality Analysis undertaken.**

*Form C1*

**Staffordshire University Complaints Procedure**







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Was this incident a hate incident? Please circle **Yes** or **No** (see section 2, page2)

**If you answered Yes to the above, please answer the following questions:**

The incident was related to:

Age    Gender    Race    Disability    Sexual orientation    Religion    Other