

# Student Complaints Procedure

## 2020-21

Issued by Standards and Enhancement

Approved by Senate July 2017

This document relates to the current year. If you become aware of any previous versions that are available on line please notify [SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk) so that action can be taken to remove the document(s).

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Students who require a copy of this Procedure in an alternative format should contact the Standards and Enhancement Office at the following email address - [SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk)

## **1 Purpose of the Procedure**

The University strives to achieve the highest standards in its provision of services but recognises that concerns and complaints may arise from time to time. This Procedure outlines the process which students should follow to raise concerns/complaints and the process through which these will be considered.

## **2 Scope of the Procedure**

The Student Complaints Procedure applies to all students who have a current registration with the University or those individuals who have recently finished their studies, as long as complaints are raised within the timeframe specified in this Procedure.

The Procedure also applies to students studying at the University's collaborative partner organisations.

The Procedure covers complaints against any academic or non-academic service provided by the University, with the exception of those matters outlined below. Complaints about services provided by collaborative partners will need to be pursued with the relative collaborative partner in the first instance. (Please see Appendix A).

The University will ensure that students raising a complaint through this procedure will not be treated less favourably because they have raised a complaint.

If the complaint is of a general nature, it may be more appropriate for the matter to be raised through the appropriate Student Staff Liaison Committee Representative or with the Students' Union and then issues arising from the complaint could be raised with the relevant member of University staff. Guidance can be obtained from the Students' Union, Student Services or the Standards and Enhancement Office.

Concerns and complaints should be raised in line with this Procedure. If a complaint is made directly to the Vice-Chancellor, or any other senior manager who is not a designated post-holder within this Procedure, the complaint will be passed to the Standards and Enhancement Office and the complaint will be referred to the most appropriate person, in line with this Procedure.

Complaints which are made anonymously will not normally be dealt with under this Procedure. Exceptionally, an anonymous complaint may be considered if the University determines that there is a compelling case, supported by evidence, for the matter to be investigated. Students should be aware that, in most circumstances, raising a concern anonymously may have a negative impact on the investigation and communication of the outcome.

Complaints which are made by a third party (including parents, guardians or friends of registered students) and/or submitted outside the time limit will not normally be dealt with under this Procedure. Students can give authority for a third party to pursue a complaint on their behalf and students wishing to do this should complete the **Third Party Consent Form** and return this to the Standards and Enhancement Office.

Complaints which:

- Have already been investigated and dealt with;
- Are outside of the scope of this procedure;
- Are made without disclosing adequate grounds;
- Have been disposed of in court or tribunal proceedings or under a settlement agreement between the complainant and the University;
- Are malicious, vexatious or frivolous;
- Are repetitive or harassing;
- Are non-meritorious or where the requested outcomes are deemed to be unreasonable; or
- Where students or their representatives are aggressive, offensive or abusive, or where demands are unreasonable in nature or unreasonably persistent;

will not be dealt with under this Procedure.

This Procedure does not cover any of the following:

- Matters relating to examination and assessment performance and academic judgement;
- Academic appeals against Assessment Board decisions (see Academic Appeals Procedure);
- Staff grievances;
- Freedom of Information matters;
- Data Protection matters;
- Matters covered by the Freedom of Speech Policy;
- Complaints relating to the admissions process for any University programme of study (taught or research)
- Complaints about student conduct/competency (see Student Non Academic Disciplinary and Conduct Policy and Fitness to Practice Procedure);
- Complaints relating to Disclosure and Barring Service (DBS) checks;
- Matters which are the subject of criminal investigation or legal proceedings until such time as those proceedings are concluded;
- Complaints submitted outside the timescale stated within this Procedure;

Complaints which relate to matters which are already being considered under other procedures (e.g. Fitness to Practice Procedure, Student Non-Academic Conduct and Disciplinary Procedure, Academic Appeals Procedure and Academic Misconduct) will not normally be dealt with under this Procedure. In addition, this Procedure cannot be used where students are dissatisfied with outcomes reached through other procedures.

Where a complaint is raised by a number of students, it can be dealt with as one collective complaint, in the following circumstances:

- i. the case is conducted through a lead student to facilitate the progress of the complaint;
- ii. the names of all students who wish to bring the complaint forward are disclosed to the University on a **Group Complaint Consent Form** and to confirm that the student nominated as the lead student will act as the facilitator for the complaint during all stages of the Procedure.

The University recognises that it has to balance the respective obligations and rights of students and staff. Those about whom complaints have been made have a right to know what is being claimed and who is making a complaint. Where a complaint is

made through this Procedure, a copy of the complaint will normally be sent to the person who is being complained about and that person will have the right to respond to the complaint and to support and representation. If students are concerned about protecting their anonymity they are advised to contact the Students' Union who may be able to make initial enquiries on their behalf. The University will adopt the principle of releasing information only to those who need it for the purposes of investigation or responding to the complaint.

Students are advised that where a complaint has been raised against a member of staff and is upheld, the student raising the complaint will be advised of this. However, it may not be appropriate to share specific details of action taken, especially where disciplinary action is taken against a member of staff or a student.

Research Students are referred to the [Code of Practice for Research Students and Supervisors](#) in the first instance regarding raising a concern related to their supervisor. A complaint may be submitted following the completion of that procedure.

The University expects students and staff to act reasonably and fairly towards each other at all stages of the Student Complaints Procedure.

### **3 What is a complaint?**

A complaint is defined as an expression of dissatisfaction by one or more students about the University's action or lack of action, or about the standard of service provided by or on behalf of the University.

### **4 How does a complaint differ from an academic appeal?**

An academic appeal is a request for a review of a decision made by an Assessment Board charged with making decisions on student progression, assessment and award. The Student Complaints Procedure cannot change a decision made by an Assessment Board.

### **5 Outline of the Student Complaints Procedure**

The Student Complaints Procedure has three stages:

- Stage 1 – the Early Resolution/Informal Stage
- Stage 2 – the Formal Stage
- Stage 3 – the Review Stage

5.1 **Stage 1** - The Early Resolution Stage of the complaints procedure occurs when a student wishes to raise a concern with the University. The student should raise the concern with the relevant member of staff who is responsible for dealing on a day-to-day basis with the matter that is the cause for concern. For example, if the issue relates to an academic matter, the first point of contact would be the programme leader, personal tutor or module tutor. If the matter relates to a service provided by or on behalf of the University, the issue should be raised with a member of the relevant University Professional Service such as a Student Services Team Leader or a Subject Librarian. It is anticipated that most concerns raised will be resolved at Stage 1.

Where the subject of the complaint lies outside of the remit of the staff member with whom it has been raised, they may seek the advice of their relevant Head of School/Division/Professional Service who may determine that a different, more

appropriate, member of staff should investigate the concern raised and the student will be directed to the relevant Head of School/Division/Professional Service for the issue to be considered.

A response should be provided to the student in writing, usually within 14 days of receipt of the notification of the concern, and the student will be informed of how they can take their complaint to the next stage of the process, should they wish to do so.

The Head of School/Division/Professional Service will be briefed regularly about concerns that have been raised to members of staff in their School/Division/Professional Service. Heads of School/Division/Professional Services will liaise with the Standards and Enhancement Office on a regular basis to establish if there are any patterns to the concerns that are being raised which may require input at School or University level.

- 5.2 If the student is unhappy with the response at Stage 1 of the process, they may take their complaint to the Formal Stage which is **Stage 2** of this procedure. A Formal Complaint Form **must** be completed at Stage 2 and the student should explain why they are unhappy with any previous response. Within 14 days of the informal written response being received, the student should submit the Stage 2 Formal Complaint Form and any available supporting evidence to the Standards and Enhancement Office by email to [SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk). The complaint will be assessed to ensure that it fits within the scope ie has been or would be better considered under another procedure and/or is within the timeframe outlined in this document. If within scope the Stage 2 Formal Complaint Form will be forwarded to the relevant Head of School/Division/Professional Service for investigation.

The Head of School/Division/Professional Service will appoint an Investigating Officer who is unrelated to the case. The Investigating Officer will investigate the complaint and provide a report to the Head of School or Service who will respond to the student in writing. Stage 2 should be completed within 28 days of the appointment of an Investigating Officer. A copy of the complaint file, including the response to the student, will be forwarded to the Standards and Enhancement Office for quality monitoring purposes.

- 5.3 If the student remains unhappy following the response provided at Stage 2 they may request that their complaint be considered at **Stage 3 - The Review Stage** of this procedure. The request for a review is submitted to the Academic Quality Manager, Standards and Enhancement Office. The Academic Quality Manager will determine whether the grounds for a review of the complaint have been met and, if so, a member of the University's Senior Management Team will be appointed as Review Officer to conduct a review of the complaint and the decision at Stage 2. This will determine whether the investigation has been conducted fully and in line with these Procedures and whether the decision and outcome were reasonable in the circumstances. The decision made at Stage 3 will be communicated to the student in writing and will include a Completion of Procedures letter. These documents conclude the University's complaints process and detail how a student may raise their complaint with the Office of the Independent Adjudicator (OIA) should they remain dissatisfied with the outcome of their complaint.

The Complaints Procedure is detailed in full in Section 8 of this document.

## **6 Student responsibilities under the complaints procedure**

In order that the University can deal with a concern or complaint properly and in a timely manner, we ask that students engage with the process and undertake the following responsibilities:

- i. raise concerns at the earliest opportunity with the person who normally has day to day responsibility for dealing with the issue being raised – engage with the Early Resolution process before escalating to a Stage 2 - Formal Complaint;
- ii. when a case is escalated to a Stage 2 Formal Complaint, provide any evidence that is requested within notified timelines in order that your complaint can be investigated in a timely manner;
- iii. when submitting a complaint provide full details in a concise manner and provide documentary support for the points made. If evidence and information is not provided within notified deadlines the complaint will be considered on the basis of the evidence available;
- iv. engage positively with those who are involved in investigating and/or resolving the issue that you have brought to their attention;
- v. make considered and reasonable suggestions for remedy should the complaint be upheld and include this in the Stage 2 - Formal Complaint submission;
- vi. be aware of sensitivities where issues involve other students or staff;
- vii. observe the Students' Dignity at Study Policy and Procedure (Bullying and Harassment) with regards to the concern/complaint;
- viii. raise a complaint only where a genuine issue has arisen, since repeated unfounded complaints may cause distress and could amount to harassment.

## **7 Who can help you to raise a concern or submit a complaint**

Students should refer to the following as sources of impartial help, advice, guidance and support in raising a concern or making a complaint:

- Programme Leader and Personal Tutors
- University of Bolton Students' Union
- Student Liaison Officers
- Student Advisors within the Student Centre

Informed guidance may be sought on the applicability and operation of the procedure from the Student Centre.

**This policy and the forms are available on the University web pages at <http://www.bolton.ac.uk/studentinformation-policyzone/Home.aspx>**

## **8 The Procedure in Detail**

### **8.1 Stage 1 - The Early Resolution Stage**

#### Time Limit – Stage 1

A concern must be raised within 28 days of the event or circumstances which are its cause; only in exceptional circumstances will extensions to this time limit be considered. If the concern relates to a series of events, the concern should normally be notified within 28 days of the most recent event.

#### Procedure – Stage 1

The student should make initial contact with the relevant member of staff who is responsible for dealing, on a day to day basis, with the concern being raised. For example, if the concern relates to an academic matter, the first point of contact would normally be the Module Tutor, the Programme Leader or the Personal Tutor or, exceptionally, the Academic Co-ordinator. If the matter relates to a service provided by or on behalf of the University, the issue should be raised with a member of the relevant University Professional Service such as a Student Services Team Leader or a Subject Librarian.

The type of information required will vary depending on the nature of the concern raised. The student is expected to give full and prompt assistance to the member of staff to whom the issue has been referred. It is anticipated that most complaints will be resolved at Stage 1.

Stage 1 assessment shall normally be concluded within 14 days of the issue being referred to the member of staff.

The member of staff to whom the complaint has been referred shall advise the student in writing of the outcome of the assessment of the concern raised as soon as possible after the assessment has been concluded and this will usually be within 7 days of the completion of the assessment of the concern at Stage 1. The written outcome which is sent to the student will be copied to the relevant Head of School/Division/Director of Professional Service and [SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk) for monitoring purposes.

In the written outcome of the Stage 1 assessment, the student will be informed of how they can take their complaint to the next stage of the process, Stage 2 – The Formal Stage, should they wish to do so.

All Schools/Divisions/Professional Services shall keep a record of Stage 1 concerns raised to enable themes and trends to be monitored. Heads of School/Division/Professional Services should be briefed on a regular basis. A Stage 1 Raising a Concern/Complaint template is available to assist with record keeping but is not a mandatory requirement of the process.

Where the subject of the concern raised lies outside of the remit of the staff member with whom it has been raised, they may seek the advice of their relevant Heads of School/Division/Professional Services who may determine that a different, more appropriate, member of staff should investigate the concern raised and the student will be directed to the relevant Heads of School/Division/Professional Services for the issue to be considered.



## 8.2 Stage 2 – The Formal Stage

If, having pursued the matter informally through Stage 1 of the Procedure, the student feels there are reasonable grounds for continued dissatisfaction, they may wish to progress to Stage 2 – the Formal Stage of the Procedure.

### Submission of Formal Complaint – Stage 2

A Stage 2 Formal Complaint must be submitted in writing using the Stage 2 Formal Complaint Form (available on the University web pages at <http://www.bolton.ac.uk/studentinformation-policyzone/Home.aspx> ) and should be sent via email to SEO@bolton.ac.uk or in writing to the Standards and Enhancement Office. The form requires the student to:

- Outline the nature of the complaint;
- Outline the informal steps taken to resolve the complaint at Stage 1;
- Explain why the student is dissatisfied with the response at Stage 1;
- Explain the outcome that the student is seeking in order to resolve their complaint.

In addition, relevant evidence to support the complaint should be provided, e.g. copies of letters, emails signed witness statements or any other relevant documentation to support the issue that the complaint relates to.

### Time Limit – Stage 2

A Stage 2 Formal Complaint must be submitted no later than 14 days from the date on which the Stage 1 response was provided.

In exceptional circumstances it may be appropriate for students to progress directly to Stage 2 of the Procedure without first attempting internal resolution at Stage 1. Guidance must be sought from the Standards and Enhancement Office in such cases. Examples of when this might be appropriate include complex complaint issues which require a detailed investigation.

In the event of immediate consideration at Stage 2, the Formal Complaint Form should be submitted within 28 days of the event or circumstances which are its cause; only in exceptional circumstances will extensions to this time limit be considered. If the Formal Complaint relates to a series of events, the Stage 2 Formal Complaint Form should normally be submitted within 28 days of the most recent event.

### Procedure – Stage 2

Upon receipt of the Stage 2 Formal Complaint Form the Standards and Enhancement Office will:

- Determine if the complaint falls within the scope of the Student Complaints Procedure;
- Determine if it is appropriate to refer the student to a different procedure;
- Determine if the complaint has been submitted within the appropriate deadline;
- Determine if resolution was attempted at the informal stage of the procedure and if not, determine if the matter should be referred back to this stage;
- Determine if the complaint is clearly outlined;
- Consider if a mediation-style intervention may be appropriate.

If it is appropriate for the complaint to progress, the Standards and Enhancement Office will forward the complaint to the relevant Head of School/Division/Professional Service for investigation. If the complaint does not fit within the scope of the Procedure, the Standards and Enhancement Office will advise the student in writing within 15 days of receiving the Stage 2 Formal Complaint Form.

From Stage 2, the Standards and Enhancement Office will log all incoming complaints and monitor timescales for process review purposes.

The Head of School/Division/Professional Service has responsibility for appointing an independent person who has not been involved in the matter under consideration to investigate the complaint. Where a complaint arises within a School, the investigator should preferably be appointed from within a different discipline area. The complaint form shall be forwarded to the Investigating Officer to enable them to carry out their role. The Investigating Officer will be a member of University staff at grade 7 or above who is not a member of the Executive Board. Where the complaint directly relates to a member or members of staff, the Investigating Officer will normally be at the same level or the level above the staff involved. Where a complaint is directly related to a Head of School/Division/Director of Professional Services the Investigating Officer will normally be another Head/Director.

The student shall be advised of the name and contact details of the Investigating Officer. The Investigating Officer will normally meet or communicate with the student to discuss the matter in further details.

It is anticipated that the investigation of most Stage 2 complaints will be completed within 28 days of the appointment of the Investigating Officer. If there is any delay in the process (i.e. if the investigation is not completed within 28 days) the student will be informed.

The Investigating Officer will investigate the complaint using the **Guidelines for Investigating Officers** and will produce a written report with appropriate evidence for the Head of School/Division/Professional Service using the **Investigating Officer's Report Template**. On receipt of the Investigating Officer's Report, the Head of School/Division/Professional Service may request additional information.

A letter will be sent to the student with details of the outcome and any action the School/Division/Professional Service intends to take. The written response will state whether the complaint has been upheld, partially upheld or rejected and the reason(s) for this decision. A copy of the Investigating Officer's Report shall also be provided with any necessary redactions.

A copy of the response letter and the Investigating Officer's Report will be forwarded to the Standards and Enhancement Office.

### 8.3 **Stage 3 – Review Stage**

If a student is dissatisfied with the outcome reached at Stage 2, a request for a review of the decision reached at Stage 2 may be submitted to Stage 3 – Review Stage of the Procedure. Stage 3 may only be invoked when Stage 2 has been completed. No new issues of complaint may be introduced at Stage 3. Students studying at a collaborative partner organisation should read the guidance provided at Appendix A.

### Submission of Request for Complaint Review – Stage 3

The request for a review should be submitted using the Stage 3 - Complaint Review Form.

The grounds for a review are:

- i. that there was a procedural irregularity at Stage 2 of the Student Complaints Procedure which has materially disadvantaged the student;
- ii. the emergence of new and relevant evidence which, for good and reasonable cause, was not available during Stage 2;
- iii. that evidence is available to show that the outcome reached at an earlier stage was unreasonable. In this context, unreasonable shall be taken to mean perverse, i.e. that the outcome was not a possible conclusion which a similar process of consideration might have reached.

At Stage 3, the following information is required:

- the grounds on which the request is based (see above);
- a rationale to explain the grounds;
- a statement to explain why the student is dissatisfied with the Stage 2 response;
- the outcome sought by the student in order to resolve the complaint;
- any relevant evidence e.g. copies of letters, emails, signed witness statements and any other relevant supporting documentation

### Time Limit – Stage 3

The completed Stage 3 – Complaint Review Form should be sent via email to the Standards and Enhancement Office, [SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk), no later than 14 days from the date on which the Stage 2 response to the complaint was provided.

### Documentation required - Stage 3

As a minimum the following documentation will be provided to the Review Officer:

Stage 3 Complaint Form and any associated documentation;  
Stage 2 Complaint Form, Stage 2 Outcome Letter, Investigating Officer's Report;  
Written response following the Stage 1 review of the complaint (where available).

### Procedure – Stage 3

On receipt of a Stage 3 Complaint Review Form, the Academic Quality Manager (or nominee) shall review the document to determine whether the request for review is valid based on the grounds for review stated above and is within the time limits stated above. The decision regarding the validity of the request for review will be notified to the student in writing within 15 working days of receipt of the request.

If the request is deemed invalid the letter will advise that the internal University procedures in relation to the complaint have been concluded and will include details of the scheme of the Office of the Independent Adjudicator.

If the request is deemed valid, a member of the University Senior Management Team will be appointed as the Review Officer and will review the complaint and the decision reached at Stage 2 of the Procedure.

The Review Officer may refer to the School/Division/Professional Service for their consideration of any additional information being made available which may result in a change to the Stage 2 decision. The School/Division/Professional Service will be required to provide the Review Officer with an updated decision (if deemed appropriate) within 7 days of the complaint being referred back to them by the Review Officer.

The Review Officer may uphold or partially uphold the complaint; may uphold the Stage 2 decision or, in exceptional circumstances, the Review Officer may consider that a Review Meeting is required prior to a decision being made.

### Stage 3 - Review Meeting

Exceptionally, the Review Officer may determine that a Review Meeting is required and if this is the case the student will be invited to attend a meeting with the Review Officer and the relevant Head of School/Division/Professional Service (or nominee).

The Review Meeting will be serviced by a member of the Standards and Enhancement Office (or nominee). Summary notes of the meeting will be taken.

The participants of a Review Meeting will receive the documentation as outlined above as a minimum.

The process that will be followed if a Stage 3 Review Meeting is required are as follows:

- Review Officer will ensure that introductions are made and the role of each person present is clear and will outline the process;
- Review Officer will invite the student to outline the reasons for the review;
- Review Officer will invite the Head of School/Division/Professional Service (or nominee) to respond to any of the issues raised by the student;
- Review Officer may ask questions of the participants;
- The student and the Head of School/Division/Professional Service (or nominee) may call witnesses to present evidence;
- The student and the Head of School/Division/Professional Service (or nominee) shall question their witness(es);
- Any questions for the witness(es) shall be addressed through the Review Officer;
- Witnesses withdraw once their evidence has been heard and there are no more questions;
- Commentary deemed by the Review Officer to be irrelevant, frivolous or vexatious will not be recorded;
- Both the student and the Head of School/Division/Professional Service (or nominee) shall have the right to make final submissions to the Review Officer. The student will speak first, followed by the Head of School/Division/Professional Service (or nominee);
- Both parties will be asked to withdraw whilst the Review Officer reaches a decision.

### The Stage 3 Notification of Decision Process

The standard of proof for the Review Officer when reaching a decision will be based on the balance of probabilities.

The Review Officer will consider all relevant information and determine whether the investigation has been conducted fully and in line with these Procedures and whether the decision and outcome were reasonable in the circumstances.

The decision made at Stage 3 will be communicated to the student in writing normally within 14 days of the receipt of the Stage 3 Complaint Form being submitted to the Review Officer or within 7 days of the Review Meeting should that be necessary and if the Review Meeting has delayed the decision making process. On occasions when a Complaint Review Meeting will delay the response, the student will be made aware of the delay.

The Stage 3 - Complaint Review Decision Letter will include a Completion of Procedures (COP) letter. These documents confirm that the University's complaints process has been concluded and detail how a student may raise their complaint with the Office of the Independent Adjudicator (OIA) should they remain dissatisfied with the outcome of their complaint.

If any aspect of the complaint is upheld or partially upheld, the Review Officer will consider possible means of redress which will be included in the Complaint Review Decision Letter. Exceptionally the Review Officer may need to undertake further consultation before a final decision can be reached which may result in a delay. In these circumstances the student will be informed of the delay.

## **9 Office of the Independent Adjudicator**

At the completion of the Complaints Procedure, the complainant will receive a Completion of Procedures (COP) letter from the University. This confirms that the University has completed consideration of the case through its procedures. In the event that the student remains dissatisfied with the outcome s/he may request an independent review by the Office of the Independent Adjudicator (OIA). In such circumstances, the student should forward a completed Scheme Application Form to the OIA (together with the Completions of Procedures letter from the University). The OIA will then review the complaint independently in due course.

Scheme Application Forms are available from the OIA at:

Office of the Independent Adjudicator  
3<sup>rd</sup> Floor, Kings Reach, 38 – 50 Kings Road, Reading RG1 1AA  
Telephone: 01189 599813  
Email: [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk)  
Website: [www.oiahe.org.uk](http://www.oiahe.org.uk)

## **10 Remedies**

The University is committed to providing the highest standards of service and maintaining good relationships between all of its students and staff. Remedies available in response to complaints therefore reflect our desire for student satisfaction and to maintain quality.

When deciding what outcome is best to resolve a complaint, the University aims to provide the response it feels is most appropriate to help a person benefit from a quality service from the University.

Remedies will need the approval of a Head of School, Division or Professional Service and may include the granting of some, all or none of the following:

- i. reconsideration of a decision within University policies and procedures, as if that decision was being made for the first time;
- ii. remission to an appropriate body with the power to authorise the application of an exception to the University's policies and procedures;
- iii. review of a University policy or procedure, with or without suspension of its operation in particular or general cases;
- iv. suspension or cancellation of a fine, penalty or limitation of service;
- v. proportionate reimbursement of monies paid, or a proportionate waiver of monies owed.

In all cases the student is entitled to an explanation.

## **11 Information which Applies to all Stages of the Procedure**

### **a. Attendance at Meetings and Engagement with the Process**

Students are encouraged to attend all meetings convened under this Procedure to consider a complaint. If a student does not attend a meeting under this Procedure, without providing good reason in advance, the relevant Head or Officer may decide that the meeting may proceed in the student's absence. In this instance, the complaint will be considered on the basis of the evidence available at the time of the meeting. If, for good reason, a student is unable to attend a meeting under the Procedure, then the student may request that the meeting is deferred until a later date. Alternatively the student may request permission from the University for their representative to attend the meeting to present the case on the student's behalf. This may delay the time taken to reach an outcome to the complaint.

A student is responsible for paying the costs of attendance at meetings. The University will not reimburse any costs.

At any stage of the Procedure, in the event that a student raises a complaint and then does not engage with the process of investigating and/or determining a way to resolve the issue, the complaint will be withdrawn.

### **b. Representation at Meetings**

A student may be accompanied at any meeting under this Procedure by a representative who is normally a member of the University of Bolton Students' Union and that representative may speak on the student's behalf. The representative must not be someone who has been suspended or excluded from the University for any reason and they must be willing to act in the capacity as the student's representative. Normally, legal representation is not permitted. It is the student's responsibility to relay all relevant notices and other communications under this Procedure to their

representative. The name of the representative shall be provided to the University before any meeting. Where a representative is attending a meeting on behalf of a student, the meeting will only be required to consider the representations made by the representative during the meeting. Any written or oral representations made by the representative after the meeting cannot be considered.

A student is responsible for paying the costs of their representative.

c. Recording of Procedures

The audio recording of meetings held under this Procedure is prohibited, subject to such reasonable adjustment as may be agreed by the University where required under the Equality Act 2010.

d. Legal Proceedings

If a student brings court or tribunal proceedings against the University which may be relevant to that student's complaint, the University will normally suspend consideration of the complaint until the University knows the outcome of those proceedings. If the matters complained about are disposed of in those proceedings then the University will normally terminate consideration of that complaint.

e. Appointment of Substitutes

If any post-holder of the University who is specified in this Procedure (the Specified Post-holder) for any reason declines, fails or is unable to take action that is their responsibility under this Procedure, then the Head of Quality Systems (or nominee) is able to approve the appointment of a substitute who will be as close as possible to the specified post holder in terms of their position within the University.

f. Mediation Style Intervention

The option to resolve a complaint by way of mediation style intervention will be open at all stages of the procedure should this be appropriate and desired;

g. Variations to the Procedure

The University reserves the right to vary any stage in this procedure as it deems appropriate after consultation with the Students' Union in order to comply with any current legal obligations and best practice.

Where mention is made in this procedure of action by specific post holder or role holder this action may be delegated to an appropriate nominee where warranted by the circumstances, for example, where there is or may be any potential conflict of roles or interests, or the specific post holder or role holder is absent, so long as the nominee has appropriate seniority and/or experience to be able to act on behalf of the specific post or role holder.

## **12 HEFCE's Unsatisfactory Quality Scheme**

HEFCE has an Unsatisfactory Quality Scheme. The scheme allows a group or groups of students, staff or others with a direct interest in a University, to raise issues with

HEFCE. The scheme will investigate serious or systemic issues about academic standards or the student academic experience. Further information about the scheme is available at: <http://www.hefce.ac.uk/reg/forstudents/qualityissues/>

The scheme does not investigate issues or complaints from individual students about their University. This is the role of the Office of the Independent Adjudicator following completion of the University's internal procedures.

### **13 Disciplinary Action**

Students should note that disciplinary action may be taken against them if they offer or give any University staff money, gifts or any other advantage which is intended to induce or reward impropriety in the consideration or resolution of a complaint.

Bribery is a criminal offence and morally wrong and exposes the University and its employees to the risk of prosecution, fines and imprisonment as well as endangering the University's reputation. See the University Anti-Bribery Policy available at: <https://www.bolton.ac.uk/Governance/Docs/AntiBriberyPolicy.pdf>

Any information submitted as part of a complaint which subsequently is identified as fraudulent/vexatious or malicious will be disregarded and the student may be referred for consideration under the Student Disciplinary Procedure or Fitness to Practise Procedure.

### **14 Related Documentation**

The following documents can be found on the University Student Information – Policy Zone (<http://www.bolton.ac.uk/studentinformation-policyzone/Home.aspx>) where other policies and procedures which may be of relevance can also be found:

- Academic Misconduct Regulations and Procedures
- Appeals Regulations and Procedures
- Car Parking Policy
- Code of Policy and Procedures for Investigation and Resolving Allegations of Misconduct in Research
- Code of Practice Relating to Freedom of Speech and Meetings on University Premises
- Code of Practice Relating to Freedom of Speech and all Planned, Affiliated, Funded or Branded Events Taking Place Off Campus
- Code of Practice for Research Students and Supervisors
- Fitness to Practise Procedure
- Research Degrees: Regulations and Procedures Governing Programmes of Study by Research Leading to the Awards of the University of Bolton
- Regulations and Procedures Governing the Awards of the Degrees of Doctor of Philosophy by Published Work and Doctor of Philosophy by Practice
- Student Attendance Policy
- Student Mental Health Policy
- Students Dignity at Study Policy and Procedure (Bullying and Harassment)
- Student Non Academic Conduct and Disciplinary Policy and Procedure
- Supported Study Policy



## **15 Monitoring and Performance Procedure**

Schools/Divisions/Professional Services are responsible for maintaining a log of all complaints received and ensuring that appropriate action is taken and that any emerging trends are monitored. The Standards and Enhancement Office maintains a summary of Stage 2 and Stage 3 complaints submitted in each academic year which permits the progress of complaints to be monitored and delays in the process to be identified and acted upon. The Standards and Enhancement Office shall compile an annual management report identifying issues raised through complaints, actions taken and an anonymised profile of complaints for the Education Committee and Senate.

## **16 Training and Support**

Individual advice to students is available from the Students' Union on 01204 900850 or email [info@boltonsu.com](mailto:info@boltonsu.com)

General information to students on the operation of the Student Complaints Procedure is available from the Student Centre and the Standards and Enhancement Office. Training and support for University and Students' Union staff in relation to this Procedure is available from the Standards and Enhancement Office.

## **17 Equality Impact Assessment**

The University of Bolton is committed to the promotion of equality, diversity, and a supportive environment for all members of our community. Our commitment to equality and diversity means that this procedure has been screened in relation to the use of plain English, the promotion of the positive duty in relation to race, gender and disability and avoidance of discrimination to other equality groups related to ages, sexual orientation, religion or belief or gender reassignment.

## **18 Monitoring and Review of the Procedure**

These procedures will be monitored by the Standards and Enhancement Office.

These procedures will be reviewed every three years.

## **19 Dissemination of and Access to the Policy**

These procedures will be available on the University's website (Student Information – Policy Zone).

| <b>STUDENT COMPLAINTS PROCEDURES</b>                                   |  |
|--|--|
| Policy ref: SEO/COMP1  |  |
| Version number   | 02   |
| Version date   | 121017   |
| Name of Developer/Reviewer   | Hilary Birtwistle  |
| Policy Owner (Group/Centre/Unit)                                       | SEO  |
| Person responsible for implementation (postholder)                     | All Staff, Investigating Officers, Heads of Schools, Division and Professional Services                                |
| Approving committee/board  | Senate   |
| Date approved  | July 2017  |
| Effective from   | October 2017   |
| Dissemination method e.g. website                                      | Website  |
| Review frequency   | 3 years  |
| Reviewing committee  | Senate   |
| Consultation history (individuals/group consulted and dates)           | Drafts of the regulation have been considered by:<br>Education Committee<br>Senate; Students Union                     |
| Document history (e.g. rationale for and dates of previous amendments) | This was re-write of the previous procedure partly in response to an OIA consultation document and subsequent guidance |

## Appendix A

### The University of Bolton and our Partner Organisations

- A.1 Complaints about services provided by collaborative partners (for example, those in which University awards are taught under academic franchising arrangements) or other organisations involved in delivery of a student's programme will need to be pursued with the relevant collaborative partner or organisation through the partner/organisation's complaints procedure.
- A.2 Our partners have their own complaints procedures which you will be informed about as part of your induction processes with the partner institution and issues relating to **service provision** will have Stage 1 – The Early Resolution, Stage 2 – The Formal Complaint Stage and Stage 3 – The Review Stage, being conducted by the partner institution.
- A.3 In the case of UK based partners which who are members of the OIA, when a complaint about services has reached Stage 3 – The Review Stage, the partner institution will issue a Completion of Procedures Letter enabling the student to refer their complaint to the OIA should that be necessary.
- A.4 The outcome of such complaints will be reported to the University, annually, for information and quality monitoring.
- A.5 All complaints that relate to **Academic Quality and Standards** will be considered by the partner institution for Stage 1 and Stage 2. If a complaint is not resolved, Stage 3 - The Review Stage, of the complaints procedure will be conducted by the University.
- A.6 In the event that a request for Stage 3 - Review is not eligible for consideration by the University (ie it relates to service provision rather than academic quality and standards), the partner will be asked to consider it under their own procedures at Stage 3.
- A.7 In the event that the University considers a partner complaint under Stage 3 of this procedure, in the first instance the University of Bolton's Academic Quality Manager (or nominee) will confirm that the complaint has been satisfactorily investigated according to the partner's procedures, making such further enquiries and taking such action as may be necessary, before appointing a Review Officer to consider the case under Stage 3 of this procedure.
- A.8 Once Stage 3 is completed the Review Officer will refer to the University of Bolton, Off Campus Division to manage negotiations and reparative actions with the partner organisation, if appropriate.
- A.9 The University will issue the Completion of Procedures Letter with the Review Decision Letter and if the complaint has not been resolved to the satisfaction of the student, they may wish to pursue it with the Office of the Independent Adjudicator for Higher Education (the OIA) (see Section 9).
- A.10 The University of Bolton will only accept requests for review if the complaint relates to Academic Quality and Standards issues e.g. programme delivery, teaching, feedback and learning resources. The University can only review matters which have already been considered at an earlier stage through the partner or organisation's complaints procedure.
- A.11 Exceptions to the above may be made for complaints involving two or more degree-awarding bodies, such as under a joint degree, dual degree, or double degree arrangement. In such cases, the complaints procedure to be followed will be detailed in the course documentation provided to the student.

**Appendix B**

**STUDENT COMPLAINTS PROCEDURE – FLOW CHART WITH TIMELINE GUIDANCE**

